





Class F127

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*John T. Gallup Esq*  
*Comptrolr of W. M. Hoes*  
*use are records that I wish to have for*  
*D. W. Gallup*

ABSTRACT OF THE TITLE

*for all time*  
*D. W. Gallup*

OF

EDMUND M. FERGUSON

AND

WALTON FERGUSON

TO

All that certain **ISLAND** situated in the Town of  
Southold, County of Suffolk, and State  
of New York, called

**FISHER'S ISLAND,**

and the several small Islands adjacent thereto called the **HOM-  
MOCKS** and **WICOPESETT**, excepting the several portions  
thereof, which have heretofore been sold and conveyed, as described  
in the several Instruments recited in the within **Official Searches.**

WILLIAM M. HOES, ATTORNEY,

69 WALL STREET, N. Y.

September, 1889

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532  
182

# INDEX.

NAMES OF GRANTEES IN THE CONVEYANCES,  
RELEASES, &c., recited in this Abstract and the  
accompanying official searches.

	PAGE
<b>A.</b>	
ALLEN, Charlotte A.....	55
ABEEL, Julia E.....	78
<b>B.</b>	
BARLOW, Bathsheba E.....	52, 53, 71, 145
BISBEE, Horatio, Jr.....	70
BOWEN, John A.....	85, 87
BARTLETT, George H.....	94, 95, 99, 100, 115, 128
BARLOW, Emma G.....	98
BROWN, Daniel J.....	105
BOWERS, Louise W.....	107
BUSH, James Freeman.....	108
BOWERS, Henry (and another).....	115, 128
BARRY, James.....	139
<b>C.</b>	
CHAPMAN, Harvey.....	66, 74, 108
CHESTER, George F.....	8, 23, 24
CHIPMAN, Fannie B..	91, 105, 120, 134, 135, 140, 141
CASEY, James S.....	93
CHIPMAN, Richard H.....	128
CHIPMAN, Laura E.....	142
<b>D.</b>	
DARROW, Thos. R. and Harmon T.....	48, 49, 76
DARROW, George W.....	96
<b>E.</b>	
ELSWORTH, Philip R.....	122

249243  
18

## F.

	PAGE
FONES, William H. ....	145
FONES, William A. ....	54
FOX, Robert R. ....	8, 23
FOX, Robert R. (Will of).....	9
FOX, Fay and Bessie.....	14
FERGUSON, Edmund M. ....	15, 158
FERGUSON, Walton.....	16
FITCH, Ashbel W. ....	85, 87
FAY, Maria D. ....	92, 93
FONTAINE, Napoleon.....	127
FOX, Fay.....	132
FOX, Bessie.....	132

## G.

GARDINER, F. L. and C. N. ....	59
GREEN, Mary A. ....	65, 73
GREENE, Paul B. ....	119
GIFFORD, Abram.....	154

## H.

HEDGE, Frances C. ....	50, 51, 109
HEISS, William H. ....	56, 57
HEDGE, William A. ....	88, 110, 143
HOFFORT, Martha E. ....	89, 118
HENRY, E. Stevens.....	97
HOES, Annie Nicoll.....	137
HANSEN, Christian.....	150, 157

## J.

JOSLYN, Harriet A. ....	133
-------------------------	-----

## L.

LATHAM, Daniel D. ....	69
LYLES, James H. ....	13, 14
LYLES, James H. (Power Atty.).....	15, 26, 34
LYLES, James H. (Release).....	37, 44, 47, 101, 131, 132
LYLES, Harriet A. ....	90
LINCOLN, Nellie A. ....	133
LYLES, Henry E. ....	156

## M.

MURDOCK, Florence M. ....	39, 41, 129, 153
---------------------------	------------------

	PAGE
MARKHAM, Aug. C.....	66, 151
MEECH, James M. (Release).....	58, 80
MARCY, Dwight.....	97
<b>N.</b>	
NASH, Emeline H.....	131
<b>P.</b>	
PARKER, Henry H.....	14, 33
PARKER, Henry L.....	58, 80
<b>R.</b>	
RICHARDS, Chas L. (and other).....	58, 80
REYNOLDS, John.....	93
<b>S.</b>	
SECCOMB, Edward A.....	121, 135
SEARS, Allison.....	124
STILLMAN, Frank R.....	136
SAUTER, Robert.....	138
SAGE, DeWitt C.....	61, 63, 111, 113
STONE, William E.....	144
SMITH, Edgar A.....	64, 72
SHEPARD, Courtlandt J. ....	67, 79, 80
SHOLES, Elisha W.....	68, 77, 126, 127
SHOLES, Alonzo W.....	68, 77, 126, 127
SHERMAN, Robert H.....	85, 87
SCHOOL, District No. 18.....	147
STARKWEATHER, Sarah E.....	148
<b>T.</b>	
TOWNE, George S.....	85, 87
TRUE, William D.....	115
TUCKER, Susan P.....	123
<b>U.</b>	
UNITED STATES OF AMERICA.....	7, 9, 22, 24
<b>W.</b>	
WINTHROP, John (Grant).....	2
WINTHROP, Wm. H.....	6, 7, 22
WINTHROP, Francis B. (Agree't).....	22

	PAGE
WALKER, James.....	60, 110, 117, 119
WETMORE, Mary A.....	106
WALKER, Lutina S.....	60
WALKER, William C.....	60
WOLCOTT, Sarah.....	119
WEBB, Patrick J.....	123
WISWELL, Fannie I.....	149

# ABSTRACT OF THE TITLE

OF

**EDMUND M. FERGUSON**

AND

**WALTON FERGUSON**

TO

*All that certain Island, situated, lying and being, in the Town of Southold, County of Suffolk and State of New York, called FISHER'S ISLAND, and the several small islands adjacent thereto called the HOMMOCKS and WICOPESSET, excepting the several portions of said Fisher's Island which have heretofore been sold and conveyed, as hereinafter shown.*

FISHERS or VISSCHERS ISLAND was discovered by the Dutch, under Capt. Adriaen Block in the year 1614.

Historical records show, that Capt. Block sailed from New Amsterdam, through the Hellegat, into the Great Bay (Long Island Sound), and went as far east as Cape Cod, naming Block Island after himself, and Fisher's Island was probably named after Visscher, one of his companions.

*John Winthrop*, who was in 1657, and from 1659, until his death, in 1676, Governor of Connecticut Colony (the son of John Winthrop, first Governor of Massachusetts Bay Colony), obtained from Massachusetts in 1640, a grant of this island.

In the following year he obtained the assent of the Hartford Court to the grant, and in 1644 he purchased the rights of the Indian Proprietors.

As Fisher's Island was included in the boundaries of the Duke of York's patent to Richard Nicolls (1664), Govr. Winthrop procured a Patent of Confirmation as follows :

RICHARD NICOLLS Esq<sup>r</sup> &c. Whereas there is a Certaine Island w<sup>th</sup> in this Governm<sup>t</sup> Scituate lying & being in y<sup>e</sup> Sound neare unto New London commonly called & knowne by y<sup>e</sup> Name of FISHERS ISLAND Conteyning by Estimation one thousand acres be it more or lesse w<sup>ch</sup> *said Island* was heretofore purchased from y<sup>e</sup> Indian Proprietors by JOHN WINTHROP Esq<sup>r</sup> Govern<sup>r</sup> of his Ma<sup>ties</sup> Colony of Conecticott in whose tenure or possession it now is & ever since the purchase thereof hath so bene & Continued *Now for & in Consideration* of y<sup>e</sup> said Purchase & longe possession *as also* for y<sup>e</sup> good *services performed by him* the said John Winthrop at y<sup>e</sup> Reducing of this Place to his Ma<sup>ties</sup> obedience (he being p<sup>r</sup> sent thereat) togeth<sup>r</sup> w<sup>th</sup> y<sup>e</sup> many good & Neighbourly offices done towards y<sup>e</sup> security & benefitt of this Colony and for divers other Causes & Considerations me thereunto especially moving KNOW YEE, that by vertne of y<sup>e</sup> Comission & authority unto me given by his Royall Highness James Duke of Yorke &c upon whome by Lawfull Graunt & Pattent from his Ma<sup>tie</sup> y<sup>e</sup> Propriety & Governm<sup>t</sup> of *Long Island and all y<sup>r</sup> Islands adjacent amongst oth<sup>r</sup> things is Setled* I have given *Ratified Confirmed & Graunted* & by these presents *doe Give Ratifye Confirme & Graunt unto y<sup>r</sup> said John Winthrop his Heires & Assignes y<sup>e</sup> said Island called FISHERS ISLAND aforesaid. Togeth<sup>r</sup> w<sup>th</sup> all y<sup>e</sup> Sandz Soyles Woodz Meadows Pastures Marshes Lakes Waters Creeks Fishing Hawking Hunting & Fowling and all oth<sup>r</sup> Profitts Commodities Emolum<sup>ts</sup> & Hereditam<sup>ts</sup> to y<sup>e</sup> said Island belonging w<sup>th</sup> their and every of *their appurtenances* & of every Parte & Parcell thereof *And that y<sup>r</sup> said Island & p<sup>r</sup>misses now is and forever hereaft<sup>r</sup> shall be held deemed reputed taken & be an Intire En-**

*franchised Towneship Mannor & Place of itself & shall alwayes from tyme to tyme & at all tymes hereafter have hould and injoye like & Equall privileges & Immunityes w<sup>th</sup> any Towne Infranchis'd Place or Mannour w<sup>th</sup>in this Govern<sup>t</sup> & shall in no manner of way be subordinate or belonging unto have any dependance upon or in any wise be und<sup>r</sup> y<sup>e</sup> Rule ord<sup>r</sup> or direction of any Ryding Towneship or Towneships Place or Jurisdiction w<sup>th</sup>in this Govern<sup>t</sup> but shall in all cases things & matters be decmed reputed taken & held as an absolute intire Infranchised Towneship Mannor & Place of it selfe & shall be ruled ordered & directed in all matters as to Govern<sup>t</sup> accordingly by y<sup>e</sup> Govern<sup>r</sup> & his Councell & y<sup>e</sup> Gen<sup>l</sup> Assizes onely Provided that no Priviledges herein Granted or mentioned to be Grannted shall be meant & interpreted to extend to y<sup>e</sup> Protecting of any Traytors Malefactor Fugitives or Debto<sup>s</sup> flying into y<sup>e</sup> said Island to y<sup>e</sup> Damage of any Peticular Person or y<sup>e</sup> Obstruction of y<sup>e</sup> Lawes & y<sup>e</sup> Comon & Publique Peace of this Govern<sup>t</sup> & y<sup>e</sup> Justice thereof. To HAVE & TO HOULD y<sup>e</sup> said Island & all and singular th<sup>l</sup> appurtenances & Premisses Togeth<sup>r</sup> w<sup>th</sup> y<sup>e</sup> Priviledges Immunityes Franchises & Advantages herein Given & Granted unto y<sup>e</sup> said John Winthrop his Heires & Assignes unto y<sup>e</sup> Proper use & behoofe of y<sup>e</sup> said John Winthrop his Heires & Assignes for ever fully freely & Clearly in as large & ample manner & forme & w<sup>th</sup> such full & absolute Immunityes & Priviledges as before is expressed as if he held y<sup>e</sup> same Imediately from his Ma<sup>ty</sup> y<sup>e</sup> Kinge of England & c & his successors as of y<sup>e</sup> Mannor of East Greenwich in y<sup>e</sup> County of Kent in free & Comon Soccage & by fealty onely yielding Rendring & Paying yearely & every yeafe unto his Royall Highnesse y<sup>e</sup> Duke of Yorke & his Heires or to such Governo<sup>r</sup> or Governours as from tyme to tyme shall be by him Constituted & appointed as an Acknowledgm<sup>t</sup> ONE LAMB upon y<sup>e</sup> first day of May if*

*if same shall be demanded*, Given und<sup>r</sup> my hand & seale at ffort James in New Yorke on y<sup>e</sup> Island Manhatans in America y<sup>e</sup> 28<sup>th</sup> day of March in y<sup>e</sup> 20<sup>th</sup> yeare of y<sup>e</sup> Raigne of our Soveraigne Lord Charles y<sup>e</sup> Second by y<sup>e</sup> Grace of God of England Scotland France & Ireland Kinge Defend<sup>r</sup> of y<sup>e</sup> ffaith & c & in y<sup>e</sup> yeare of our Lord God 1668

(See Vol. II., Abstracts of Patents, No. 522.

See Vol. III., Patents, p. 5—  
Records in office of Secretary of State,  
Albany, N. Y.)

John Winthrop, Jr., the Grantee, Governor of Connecticut, was born at Groton, England, in 1606, and died at Boston, Mass., in 1676.

Fisher's Island was claimed by Connecticut in 1680, as being within her jurisdiction, and in consequence thereof Sir Edmund Andros, then Governor of New York, addressed the following epistle to Hon. William Leete, then Governor of Connecticut:

“ HONBLE SR—Being advised by an order or warrant from yourself and some assistants sent to  
“ Fisher's Island, I am much surpris'd att your  
“ Intrenching upon his Maties Letters Patents to his  
“ Royal Highness, as well as the Grant by Governour  
“ Nicolls to the Honoble John Winthrop, Esq. (late  
“ Governor of Connecticut) for sd Island; which  
“ Island and Grant it is my Duty to assert, as much  
“ as this or any other part of the Governmt; And  
“ therefore desire that you will, without delay,  
“ recall sd warrant or order, and forbear any the  
“ like proceedings for the future, to prevent great  
“ Inconveniencys; and remaine your Effectionate  
“ neighbour and Humble Servant E. ANDROS ”  
“ To the Honble WILLIAM LEETE Esq.  
“ Governour of his Maties Colony  
“ of Connecticut.”

The Connecticut Court resolved that they would exercise government over the Island, and prohibited obedience to Sir Edmund's request. This bluster ended the matter.

The son of John Winthrop was obliged to recognise the jurisdiction of New York, under which Fisher's Island has ever since remained without question.

Govr. John Winthrop left two sons, Fitz-John Winthrop and Wait Still Winthrop.

On the death of John Winthrop, Fisher's Island descended to his eldest son, Major Fitz-John Winthrop. He was Governor of Sterling Castle, and a general officer in Genl. Monk's army, and was Governor of Connecticut from 1698 until his death.

He died in 1707, leaving one daughter, Mary, who married John Livingston, of New York, and had no issue.

His will, dated at New London, March 14th, 1701, is recorded in the office of the Surrogate of the County of New York, in Liber 7 of Wills, page 379.

Wait Still Winthrop, the second son of Governor Winthrop, succeeded his elder brother as proprietor of Fisher's Island. He was Chief-Justice of Massachusetts Bay Colony, and Major-General of the militia of that province. He died 7th September, 1717, leaving one son (John) and one daughter (Anne).

John Winthrop, only son of Wait Still Winthrop, was born Augt. 25th, 1681. Married a daughter of Joseph Dudley, of Roxbury, and died in England, Augt. 1st, 1747.

He left two sons (John Still and Basil) and five daughters.

His wife survived him, and died May 29th, 1776.

His will was *probated* at New London, December 22d, 1747.

In and by his will, he leaves Fisher's Island to his eldest son *John Still*, "forever to be and abide to him and his heirs male forever."

John Still Winthrop was born 15th January, 1720. Died June 6th, 1776, leaving eight children by his first wife, and four by his second.

His eldest son was *John* (to whom letters of administration upon his father's estate were issued, at New London, June 20th, 1776).

*John Winthrop*, eldest son of *John Still Winthrop*, was born July 20th, 1751. Died a bachelor in New York, 15th November, 1780.

His will was admitted to probate, and letters testamentary issued to his brother, *Francis Bayard Winthrop*, in New York, November 21st, 1780.

By his will, he gives and bequeaths Fisher's Island to his brother, *Francis Bayard Winthrop*, whom he also makes his residuary legatee and executor.

*Francis Bayard Winthrop*, brother to the preceding owner, died in 1818, seized of the premises in question.

By his will, recorded in Lib. 53 of Wills, p. 584, in the Surrogate's office of the County of New York, he devised that part of his estate, called Fisher's Island, with the appurtenances, to his four sons :

*John Still Winthrop,*  
*Francis Bayard Winthrop, Jr.,*  
*William Henry Winthrop,*  
*Thomas Charles Winthrop,*

their heirs and assigns forever, as tenants in common in fee simple.

Francis B. Winthrop and	} Warranty Deed. Dated	
wife		April 23d, 1818. Re-
lo		corded December 8th,
William H. Winthrop.	} 1826, in the Clerk's Of-	
	} fice of Suffolk County,	
	} in Lib. II., page 93.	

Conveys the equal undivided fourth part of Fisher's Island, and the other small islands contiguous thereto, called the Hammocks, &c.

John Still Winthrop and wife	} Warranty Deed. Dated June 24th, 1820. Re- corded December 8th, 1826, in Lib. H., page 96.
to	
William H. Winthrop.	

Conveys another equal undivided fourth part of Fisher's Island, and the small islands contiguous thereto, called the Hammocks, &c.

Thomas Charles Win- throp and Wife	} Warranty Deed. Dated February 28th, 1825. Re- corded December 8th, 1826, in Liber H, page 99.
to	
William H. Winthrop.	

Conveys another undivided fourth part of Fisher's Island, and the small islands contiguous thereto, called the Hammocks, &c.

The fee of the whole property became thus vested in William Henry Winthrop (subject to certain mortgages, which have all been satisfied and discharged of record.

William H. Winthrop made the following conveyance :

William H. Winthrop and Margaret Ann, his wife,	} Quit claim deed. Dated November 11th, 1847. Recorded November 27, 1847, in Liber 47, page 239.
to	
The United States of America.	

Conveys small Island called North Dumpling, or Hammock (see description in search below).

William Henry Winthrop died at New London, Connecticut, September 3d, 1860, leaving him surviving, as his only children and heirs-at-law, three sons, *William H. Winthrop* (Jr.), *Thomas P. Winthrop* and *Francis B. Winthrop*, and two daughters, *Jane P. Chester* and *Mary T. Pratt*.

He also left him surviving, his widow, *Margaret Ann Winthrop*, and left no descendants of a deceased child surviving him. None of his children who have died have left issue. His widow and executrix did not make any sale or disposition of Fisher's Island in her lifetime. His son, Francis B. Winthrop, died at New London, January 22d, 1863, leaving no issue surviving him, but leaving a widow, Margaret Rebecca Winthrop.

The widow of William H. Winthrop (*Margaret Ann Winthrop*) died at New London, intestate, on the 27th day of February, 1863. She left her surviving as her only children and heirs-at-law the said William H. Winthrop, Jr., Thomas P. Winthrop, Jane P. Chester and Mary T. Pratt.

William H. Winthrop and wife, Thomas P. Winthrop and wife, to George F. Chester.	}	Deed (Cov. against grantor). Dated October 31st, 1863. Recorded November 3d, 1863, in Liber 123, page 526.
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*Conveys* Fisher's Island, &c., with all the appurtenances.

Margaret R. Winthrop, widow of Francis B. Winthrop, to George F. Chester.	}	Deed (Cov. against grantor). Dated November 2d, 1863. Recorded November 5th, 1863, in Liber 123, page 537.
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*Conveys* Fisher's Island, with the appurtenances.

George F. Chester, Jane P. Chester, his wife, and Mary T. Pratt, to Robert R. Fox.	}	Warranty Deed. Dated December 2d, 1863. Recorded December 7th, 1863, in Liber 124, page 162, Cons. \$55,000.
--	---	--

*Conveys* Fisher's Island, &c., "except the North Hammoek, on which is the Light House."

Robert R. Fox thus acquired title to Fisher's Island.

He made the following conveyance :

Robert R. Fox and Eliza	} Warranty Deed. Dated	
D. Fox, his wife,		July 6th, 1870. Recorded
<i>to</i>		May 25th, 1871, in Liber
The United States of	} 179, page 112.	
America.		

Conveys  $10\frac{3}{16}$  acres, on extreme west end of Fisher's Island, according to a plot or map of Race Point, filed in office of Clerk of Suffolk County, N. Y., May 25th, 1871, as map No. 572.

(See description and reservation in search below.)

Mr. Fox died, in possession and occupation of Fisher's Island, September 24th, 1871, leaving him surviving his two children, Faye Fox and Bessie Fox, his sole heirs-at-law, to the premises in question, subject to the dower right of their mother, Eliza D. Fox.

He left a *Last Will and Testament as follows* :

Will of Robert R. Fox.	}	Dated Oct. 27, 1870.
		Proved Nov. 25, 1871.
		Recorded Liber 10 of
		Wills, p. 675, Surrogate's Office, Suffolk Co., N. Y.

He appointed *James R. Jesup* and *Joseph S. Fay*, his executors. Joseph S. Fay alone qualified, and letters testamentary were issued to him by the Surrogate of Suffolk Co., N. Y., Nov. 25, 1871, Liber E, p. 191.

The following is an extract from said will :

“As to my plantation or farm known as Fishers Island, expecting that, that Island will remain in my family for some time, I hereby give and devise all said plantation and farm known as Fishers Island to my said two daughters, Faye and Bessie Fox, to be equally divided between them, share and share alike, subject however, to the right of dower of my said wife in the same;

“and in case either of my said daughters should die before me without issue then living, the surviving daughter shall take the whole of said farm subject to dower as aforesaid; and in case either of my said daughters should die before me leaving issue, such issue shall have and take the share of his, her, or their deceased parent in said farm.”

Proceedings were taken as follows to have the premises sold, to pay the debts of the testator.

In the Matter of Application of Executor of Robert R. Fox for leave to sell Estate for the payment of his debts.	}	Surrogates Court of Suffolk County, New York.
--	---	---

Oct. 3, 1874. Petition filed, recites death of Robert R. Fox on the 24th day of September, 1871. Will admitted to probate November 25th, 1871.

Recites that petitioner, Joseph S. Fay, is executor; that James R. Jesup, the other executor, has never qualified and declines to act; that he has made and filed an inventory; that the personal estate is insufficient for the payment of debts; that all the personal estate has been applied, and that deponent petitioner used due diligence.

That the debts due on the 27th day of August, 1874, when the petition was verified, were \$52,842.56.

That the testator died seized of all that certain Island called Fisher's Island, &c.

That the heirs of said Robert R. Fox are Faye and Bessie Fox, both minors, under the age of 14, and have a testamentary guardian, their mother; that the testator devised said Island to said children, subject to right of dower of their mother, and in case they should both die, leaving no issue, said real estate to go to the children of his wife by her first husband, Herman Allen, deceased, namely Elizabeth A. Hood, Harriet F. Lyles and Florence M. Murdock, all of full age.

That next of kin are Ebenezer Fox, Sophia Anderson, Eunace Palmer, Teresa Palmer, Celinda Cove, Ellen C. Smith, brother and sisters of said testator, and Lucius Little, Robert Little, Ralph Little, Anna Field and Augusta Robinson, children of a deceased sister of said testator.

Schedule A shows items of disbursements and receipts of personal estate.

Schedule B shows the names of creditors to pay whose debts the application is made.

An affidavit to correctness of the schedules is annexed, sworn to Nov. 30, 1874, by Joseph S. Fay.

Oct. 3, 1874, order to show cause issued, and filed, returnable on the 30th day of November, 1874.

Florence M. Murdock, Harriet F. Lyles, Eliza D. Fox and Bessie Fox admit due service of order to show cause.

Affidavit of Harmie Darrow that he served Bessie Fox, Oct. 29th, 1874, by leaving copy with her, and also one with her mother.

Affidavit of James H. Lyles of service on the 19th day of October, 1874, on Florence M. Murdock, and on the 20th day of Oct., 1874, on Harriet F. Lyles, and on Oct. 26th, 1874, on Eliza D. Fox.

Affidavits of publication of order to show cause in Albany *Evening Journal*, a State paper, once a week for six weeks, commencing Oct. 9th, 1874; same in Sag Harbor *Express*, commencing Oct. 15th, 1874.

Nov. 11th, 1874, affidavit of James H. Lyles that Faye Fox resides in England, Elizabeth H. Hood in England; that the next of kin mentioned in the petition are non-residents, except Teresa Palmer, who resides at Seneca Falls, New York; that Ebenezer Fox resides at Willington, Conn., Celinda Cove at Willington, Conn., Eunace Palmer at East Hadam, Conn., Sophia Anderson at New Hartford, Conn., Ellen C. Smith at New Hartford Conn., Ralph Little at Sheffield, Mass., Lucius Little, Frank Little, Augusta Robinson and Anna Fields,

all of said Sheffield, Mass., and Robert Little at Salisbury, Mass.

Endorsed : " Filed Nov. 30th, 1874."

General answers of infants Faye and Bessie Fox, verified by Eliza D. Fox, Oct. 27th, 1874, served Oct. 30th, 1874.

Nov. 20th, 1874, order made and entered appointing special guardian for infants Faye and Bessie Fox.

Nov. 30th, 1874, consent of special guardian to serve.

On the 30th day of November, 1874, Joseph S. Fay, Exr., &c., appeared, Bessie and Faye Fox by special guardian, and also by Eliza D. Fox, their mother and testamentary guardian.

No other appearances. Adjourned by consent to Dec. 21st, 1874, at 4 P. M.

Dec. 21st, 1874, Eliza D. Fox	
claim was allowed at.....	\$13,000 00
Harriet Allen (Lyles).....	2,636 53
Florence M. Murdock.....	2,636 53
Elizabeth A. Hood.....	2,636 53

---

\$20,909 59

Some small sundry items were added to this total, making a sum in all of \$22,192.00 allowed by the Surrogate. The difference between the amount claimed in the petition and amount allowed is explained by the fact that no interest was allowed (as claimed) on the sums claimed to be due.

Dec. 21st, 1874, order for the sale of premises known as Fisher's Island was made and entered by the Surrogate. Bond \$100,000 filed and approved.

Advertisement of sale of Fisher's Island published six weeks in Sag Harbor *Express*, commencing July 22d, 1875, as appears by affidavit.

The affidavit of Nathan C. Fordham that he posted notices of sale July 22d, 1875, in three most public places in the Town of Southold, the town

where the sale mentioned in the notice was to had, to wit, on the outside of the post office, also on the liberty pole and building corner of Main and Front Streets, Greenport.

Sept. 22d, 1875, affidavit of Harnie Darrow that he attended the sale and it was fairly conducted.

Oct. 30th, 1875, report of sale filed; recites that on Sept. 2d, 1875, between 12 and 2 P. M., at Fisher's Island, he sold the premises to James H. Lyles for \$68,000. The affidavits of publication and posting are annexed to this report.

Oct. 30th, 1875, order made confirming the sale, and directing the executor to execute deed to purchaser.

Pursuant to above proceedings and decree the following deed was executed :

Joseph S. Fay, Execu- tor of Last Will and Testament of Robert R. Fox, deceased, to James H. Lyles.	} Deed. Dated Nov. 24th, 1875. Recorded Nov. 30th, 1875, Lib. 219, p. 62.
--	--

*Recites* above-mentioned proceedings in Surrogate's Court, and decrees therein; sale of the premises to party of second part pursuant thereto on September 2d, 1875, and decree dated October 30th, 1875, confirming sale, and directing executor to execute deed to purchaser.

Conveys, in consideration of \$68,000—

“All that certain island lying and being in the County of Suffolk, and State of New York, called “Fisher's Island, and the several small islands contiguous thereto called the Homocks, together with “the buildings thereon situated.”

James H. Lyles thereafter executed certain mortgages covering the said premises so conveyed to him, which were all duly paid and satisfied and

discharged of record July 22d, 1889 (see Liber 188 of Mortgages, pages 291, 292, 293, 294, 295).

James H. Lyles and wife	} Deed dated March
<i>to</i>	
Henry H. Parker.	

30th, 1876. Recorded  
April 29th, 1876, Liber  
222, p. 357.

*Conveys* all that certain island lying and being in the County of Suffolk, and State of New York, called Fisher's Island, and the several small islands contiguous thereto called the Hammocks.

Henry H. Parker and	} Trust deed. Dated June
<i>to</i>	
James H. Lyles, as trustee.	

Elizabeth F., his wife,  
3d, 1876. Recorded June  
10th, 1876, Liber 221, p.  
426.

*Conveys* same premises, IN TRUST, to hold said property and pay over the rents and profits to the use and support of Faye Fox and Bessie Fox, minors, children and heirs-at-law of Robert R. Fox, deceased, until they become of age, and then to convey back such portion then remaining unsold, and if either shall die before they arrive at the age of twenty-one to convey her share to such person as they shall appoint, &c., &c.

Contains a power to sell and execute deeds as though the grantee were vested with title in fee simple.

James H. Lyles, as trustee pursuant to such conveyance, executed certain deeds for portions of the island sold, which appear in the search below.

Upon the arrival of age of Bessie Fox, youngest daughter of Robert R. Fox, Mr. Lyles reconveyed by following deed :

James H. Lyles and Har-	} Deed, Bargain and
<i>to</i>	
Fay Fox and Bessie Fox.	

riet F., his wife,  
Sale. Dated Sept. 14th,  
1885. Recorded Sept.  
15th, 1885, Lib. 291, p.  
140.

Conveys, as tenants in common, all that certain island situate, lying and being in the County of Suffolk, and State of New York, called Fisher's Island, with the several small islands contiguous thereto, called the Hammocks and Wicopessett, with the buildings thereon situated, excepting so much thereof as has been heretofore conveyed by said James H. Lyles, one of the parties of the first part.

This conveyance being made pursuant to the terms of a certain deed made by Henry H. Parker and Elizabeth F., his wife, to said James H. Lyles, dated the 3d day of June, 1876, and recorded in the office of the Clerk of Suffolk County, in Liber 221 of Deeds, page 426, on the 10th day of June, 1876.

Fay Fox and Bessie Fox	}	Power of Attorney.
<i>to</i>		Dated Sept. 14, 1885.
James H. Lyles.		Recorded Sept. 15, 1885, Liber 291, p. 138.

EMPOWERS to sell at public or private sale the whole or any portion of Fisher's Island, &c., execute deeds, &c.

Pursuant to this authority portions were sold and conveyed, as appear in the search below.

Fay Fox and Bessie Fox,	}	Warranty deed. Dated July 19, 1889. Ack'd July 19, 1889. Recorded Suffolk Co. Clerk's office July 22, 1889, Liber 321, p. 185.
by James H. Lyles,		
their attorney in fact, &c., Fay Fox and Bessie Fox, of full age, un- married, parties of first part; James H. Lyles, individually, party of second part,		
<i>to</i>		
Edmund M. Ferguson,	}	
Party of third part.		

Conveys all that certain island situate, lying

and being in the town of Southold, County of Suffolk and State of New York, called Fisher's Island, and the several small islands adjacent thereto, called the Himmocks and Wicopesset, being the same premises conveyed to Robert R. Fox, now deceased, by George F. Chester, Jane P. Chester, his wife, and Mary T. Pratt, by deed dated December 2, 1863, recorded in the office of the Clerk of the County of Suffolk, in Liber 124 of Conveyances, page 162.

Together with all the buildings and improvements.

Excepting, however, the several parts and portions of said Fisher's Island which have heretofore been sold and conveyed in and by the following instruments, by the particular descriptions as therein contained ;

Then recites parties, sale date and record of one hundred and one instruments, which all appear in the search below.

Contains usual full covenants.

Also covenants by parties of first part, that above excepted are the only conveyances which have been made by said James H. Lyles as trustee or as their attorney in fact, ratifying and confirming his acts, and warranting that they have received the considerations mentioned in said instruments, and releasing and discharging him from any claim or demand.

James H. Lyles, party of the second part, covenants that the several pieces and parcels excepted, are all that have heretofore been sold or conveyed.

Edmund M. Ferguson	} Warranty Deed. Da-	
and Josephine E., his		ted September 27, 1889.
wife,		} Recorded October 2d,
to	} 1889, in Liber      , page	
Walton Ferguson.		

Conveys undivided one half-part of Fisher's Island, as conveyed to grantor by last mentioned deed, subject to same exceptions herein contained.

Subject also to two certain mortgages made by Edmund M. Ferguson to secure a portion of the purchase money on said conveyances to him, namely :

Mortgage made by Edmund M. Ferguson to Fay Fox and Bessie Fox, dated July 19, 1889, to secure the payment of \$95,000, July 19, 1892, with interest at four per cent., payable semi-annually, January 1, and July 1. Mortgage made by Edmund M. Ferguson to Joseph S. Fay of Woods Holl, Mass., dated July 19, 1889, to secure the payment of \$55,000, July 19, 1892, with interest at four per cent., payable semi-annually, January 1 and July 1.

Grantee assumes payment of one-half principal and interest of above mortgages.

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The above Mortgages affect only the portion of Fisher's Island lying East of the Ice pond and Island pond, and the land covered thereby is described in said mortgages, as follows :—

Beginning at a drill hole in a rock, on the shore of Fishers Island Sound, which said rock lies about 300 feet Northerly from the Ice House wharf and also marks the Northwest corner of land owned by Bathsheba C. Barlow, and running from said drill hole, Southeasterly along the line of land of the aforesaid Bathsheba C. Barlow to the shore of the Ice Pond ; thence north easterly, by and along the shore of the Ice Pond to a stone wall which divides Clay Point pasture from the Brick Yard Pasture, between Island Pond and the Ice Pond ; thence Southeasterly following the line of said wall to the shore of Island Pond ; Thence Northeasterly, easterly and Southerly, following the North and east shores of said Island Pond to a fence, near its Southeasterly side ; which said fence crosses between Island Pond and the Pond lying easterly from it and near the Ocean Beach ; thence easterly following said fence to the shore of the aforesaid Pond ; thence southerly and easterly following the line of the South shore of said Pond to a stone wall near the Southeast corner of the Pond ; thence southerly following the line of said stone wall or fence to the Ocean. Excepting, however the premises heretofore conveyed by James H. Lyles, Trustee to John A. Bowen, George S. Towne, Ashbel W. Fitch and Robert H. Sherman, by deed dated October 19, 1878, recorded in Clerks office of Suffolk County, N. Y., January 30, 1879, in Liber 238 of Deeds, page 394.

THE FOLLOWING ARE THE OFFICIAL SEARCHES  
MADE AT THE TIME OF THE CONVEYANCE OF FISHER'S  
ISLAND TO EDMUND M. FERGUSON.

THE INSTRUMENTS NUMBERED 1 TO 101, UPON  
THE SEARCH, ARE THOSE MENTIONED IN CONVEY-  
ANCE OF FAY AND BESSIE FOX TO EDMUND M.  
FERGUSON. (L. 321, p. 185.)

The Clerk of the County of Suffolk, State of New  
York, will please search in his office for convey-  
ances, mortgages, leases, agreements and all other  
instruments of record, including Surrogate's decrees  
(except judgments), against the property described  
below or upon or in any manner affecting the same,  
or any part thereof, by or against the persons whose  
names are hereto subjoined, and for the periods set  
opposite their respective names, and also return in  
full the property as described in each instrument  
returned hereon, and certify the result in writing for

WILLIAM M. HOES,  
Attorney and Counsellor,  
69 Wall Street, N. Y.

Dated New York, June 22, 1889.

PREMISES.—All that certain island situate, lying  
and being in the County of Suffolk, and State of New  
York, called Fisher's Island, and the several small  
islands contiguous thereto, called the "Homocks,"  
"Flat Hammock," "West Clump," "Middle  
Clump," "East Clump," and "Wicopesset," to-  
gether with the buildings thereon, being the same  
premises conveyed by George F. Chester, Jane P.  
Chester and Mary T. Pratt to Robert R. Fox by  
deed dated December 2, 1863, recorded December 7,  
1863, in the Clerk's office of Suffolk County, N. Y.,  
in Liber 124 of Conveyances, page 162.

*Against*

John Still Winthrop, Francis Bayard Win- throp, William Henry Win- throp, Thomas Charles Win- throp,	} From January 1, 1818, to December 30, 1826.
William H. Winthrop,	} From December 1, 1826, to December 30, 1863.
Thomas P. Winthrop, Francis B. Winthrop, Jane P. Chester, Mary T. Pratt, Dean Pratt, Margaret Ann Winthrop,	} From August 1, 1860, to December 30, 1863.
George F. Chester,	} From August 1, 1860, to December 30, 1863.
Robert R. Fox,	} From November 1, 1863, to December 30, 1875.
James R. Jessup, Joseph S. Fay,	} From September 1, 1871, to December 30, 1875.
Eliza D. Fox,	} From September 1, 1871, to October 30, 1886.
Henry H. Parker,	} From March 1, 1876, to June 30, 1876.
Fay Fox, Bessie Fox. James H. Lyles, Individually, or as Trustee, or as Attor- ney,	} From September 1, 1871, to date of your re- turn.

SUFFOLK COUNTY, }  
 Clerk's Office, } ss. :

I, ORANGE T. FANNING, clerk of said county, do hereby certify that I have searched the records in this office pursuant to the foregoing requisition and find and report thereon as follows :

MORTGAGE.

William H. Winthrop and Marg-  
 aret Ann, his wife,

to

John Still Winthrop.

Dated 24th of June, 1820. Recorded 19th of July, 1820, in Liber N, page 8, to secure \$12,000. Endorsed, see satisfaction in Liber 72, page 477.

Affects :

All the one full equal undivided fourth part of a certain island, situate, lying and being in the County of Suffolk and State of New York, called Fisher's Island, and of the several small islands contiguous thereto, called the Homock, whereof Francis Bayard Winthrop, Esquire, lately died seized, and which were devised by him to his four sons, the said John Still Winthrop and William H. Winthrop, Francis B. Winthrop and Thomas Charles Winthrop, being the same premises which were conveyed to the said William H. Winthrop by the said John Still Winthrop, together with Harriet his wife, by indenture bearing even date with these presents.

NOTE 1.

The satisfaction above referred to reads as follows :

"STATE OF NEW YORK, }  
 City and County of New York, } ss. : (U. S. Rev. Stamp. .05.

"I do hereby certify that a certain Indenture of Mortgage, bearing date the fourth day of June, in the year one thousand eight hundred and twenty, made and executed by William H. Winthrop and Margaret Ann, his wife, to John Still Winthrop, and as-

signed to me for twelve thousand dollars (part of the twenty-six thousand dollars secured by a subsequent mortgage), which first mentioned mortgage is recorded in the office of the Clerk of the County of Suffolk, in Liber N of Mortgages, pages 8 and 9, on the 19th day of July, in the year one thousand eight hundred and twenty, at o'clock in the noon is paid, and I do hereby consent that the same be discharged of record. Dated the 26th day of January, 1864, in presence of John R. Kennedy, James J. Roosevelt."

Duly acknowledged. Recorded 4th of February, 1864, in Liber 72, page 477.

DEED WARRANTY.

Francis B. Winthrop and Elizabeth,  
his wife,  
*to*  
William H. Winthrop.

Dated 23d of April, 1818. Recorded 8th of December, 1826, in Liber H, page 93.

Conveys:

"All the full equal undivided fourth part of a certain island, situate, lying and being in the County of Suffolk and State of New York, called Fisher's Island, and of the several small islands contiguous thereto, called the Homocks, whereof Francis Bayard Winthrop, Esquire, lately died seized, and which were devised by him to his four sons, John Still Winthrop, the said Francis B. Winthrop and William H. Winthrop and Thomas Charles Winthrop.

DEED WARRANTY.

John Still Winthrop and Harriet,  
his wife,  
*to*  
William H. Winthrop.

Dated July 11th, 1825. Recorded 8th of December, 1826, in Liber H, page 96.

Conveys:

Description same as last above written.

## DEED WARRANTY.

Thomas Charles Winthrop and  
Georgianna Maria, his wife,

*to*

William H. Winthrop.

Dated 3d of March, 1825. Recorded December 8th, 1826, in Liber H, page 99.

Conveys :

Description same as last two above.

## DEED Q. C.

William H. Winthrop and Marga-  
ret A., his wife,

*to*

The United States of America.

Dated November 11th, 1847. Recorded Novem-  
ber 27th, 1847, in Liber 47, page 239.

Conveys :

“All that certain small island called and known  
by the name of the North Dumplin or Hammock,  
and situate, lying and being in Fisher's Island  
Sound, north of Fisher's Island, and being in the  
County of Suffolk and State of New York.”

## AGREEMENT.

William H. Winthrop

*with*

Francis B. Winthrop.

Dated 25th April, 1856. Recorded 12th May,  
1856, Liber 88, page 589.

Agreement whereby and wherein said William H.  
Winthrop agrees to pay to the lawful holder of a  
certain mortgage made and executed by William  
H. Winthrop to Francis B. Winthrop, dated the  
23d day of April, 1818, and recorded in Suffolk

County Clerk's Office, the principal sum of \$5,000, and all the interest which shall or may be due on the same.

DEED B. & S.

William H. Winthrop and Mary E.,  
his wife, and Thomas P. Win-  
throp and Laura Augusta, his  
wife,

*to*

George F. Chester.

Dated 31st Oct, 1863. Recorded 3d Nov., 1863,  
Liber 123, page 526.

Conveys :

“All those pieces or parcels of land situate, lying and being in the Town of Southold, County of Suffolk and State of New York, known as Fisher's Island, and the small islands adjacent thereto, known as the Hammocks and Wicopesset, together with all the buildings, improvements, chattels and property thereon and all rent now due and to grow due thereon and therefor, and all and every right, claim and demand of the parties of the first part, or either of them, against the present or any former lessee or lessees, tenant or tenants, occupant or occupants thereof.”

DEED WAR.

George F. Chester, Jane P. Chester,  
his wife, and Mary T. Pratt

*to*

Robert R. Fox.

Dated 2d Dec., 1863. Recorded 7th Dec., 1863,  
Liber 124, page 162.

Conveys :

“All those pieces or parcels of land situate, lying and being in the Town of Southold, County of Suffolk and State of New York, known as Fisher's Island, and the several small islands adjacent thereto called the Hammocks and Wicopesset (save

and excepting the North Hammock, upon which is the Light House), being the same premises owned and possessed by William H. Winthrop of New London, Connecticut, in his lifetime, and of all of which he died seized."

## DEED B. &amp; S.

Margaret R. Winthrop, widow of  
Francis B. Winthrop, deceased,  
*to*  
George F. Chester.

Dated Nov. 2d, 1863. Recorded 5th Nov., 1863,  
Liber 123, page 537.

Conveys :

"All those pieces or parcels of land, situate, lying and being in the Town of Southold, County of Suffolk and State of New York, known as Fisher's Island, and the small islands adjacent thereto known as the Hammocks and Wicopesset, together with the buildings and improvements thereon, being the same premises formerly belonging to William H. Winthrop, late of said New London, deceased, the father of the above named Francis B. Winthrop, deceased."

## 1.

## DEED WARTY.

Robert R. Fox and Eliza D. Fox,  
his wife,  
*to*

The United States of America.

Dated 6th July, 1870. Recorded 25th May, 1871,  
Liber 179, page 112.

Conveys :

"All that piece or parcel of land containing ten (10) and three-tenths ( $\frac{3}{10}$ ) acres more or less, situated, lying and being in Suffolk County in the State of New York, being part or parcel of that piece of land known as Fisher's Island, in said

County and State, bounded and described as follows: Beginning at a point on the southern shore of said Fisher's Island and running north  $25^{\circ} 10'$  west four hundred and ninety-three feet (493) over two boulders marked one (1) and two (2) to a net of boulders marked (3); thence north  $21^{\circ} 45'$  east six hundred and ninety-eight (698) feet to a boulder marked four (4); thence north  $62^{\circ} 15'$  east three hundred and seventy-two (372) feet to a boulder marked five (5); thence north  $63^{\circ} 4'$  west two hundred and ten (210) feet to the water; thence along the shore around the west point of the said island to the point of beginning, of which the following is a correct plot or map. (See map of Race Point, Fisher's Island, N. Y., filed May 25th, 1871.)

“The said party of the second part shall build and maintain the division fence upon said premises and the party of the first part hereby reserves the right to gather and take away all the seaweed which may lodge or be deposited upon the shore of the premises hereby conveyed, with free access through convenient openings in the fence erected and maintained by the party of the second part to haul or carry the same off from the said premises.”

THIS INDENTURE, made the twenty-fourth day of November, one thousand eight hundred and seventy-five, between Joseph S. Fay, executor of the last will and testament of Robert R. Fox, late of Suffolk County, in the State of New York, deceased, party of the first part, and James H. Lyles of the City of Brooklyn, in the County of Kings and State aforesaid, party of the second part. Whereas Henry P. Hedges, Esquire, Surrogate of the County of Suffolk, heretofore made an order, which said order is in the words and figures following, to wit:

At a Surrogate's Court held in and for the County of Suffolk, at the Surrogate's office in the Village of Bridgehampton, on the 21st day of December, in the year one thousand eight hundred and seventy-four.

Present—Hon. H. P. HEDGES, Surrogate.

IN THE MATTER

*of*

The application of JOSEPH S. FAY, executor of the last will and testament of Robert R. Fox, deceased, for authority to mortgage, lease or sell the real estate of the said Robert R. Fox, deceased, for the payment of his debts.

Joseph S. Fay, the executor of the last will and testament of R. R. Fox, late of the County of Suffolk, deceased, having heretofore presented to the Surrogate of the County of Suffolk his application for authority to mortgage, lease or sell so much of the real estate of the said testator as shall be necessary to pay his debts, and the Surrogate, upon such application, having made an order directing all persons interested in the estate of the said Robert R. Fox, deceased, to appear before him at the Surrogate's office in the Village of Bridgehampton, in the County of Suffolk, on the 30th day of November, 1874, at 4 o'clock in the afternoon, to show cause why such authority should not be given to the said executor, and on reading and filing, on said 30th day of November, satisfactory proof by affidavit of the due publication of the said order and of the due

service thereof on every person in the occupation of the premises of which a sale is devised, and on the widow and heirs of the said deceased, and the said executor having, on the said 30th day of November, appeared in person, and by Henry H. Parker, his proctor, and Bessie Fox and Faye Fox, minors, heirs of the said Robert R. Fox, deceased, having appeared by their special guardian, Samuel O. Hedges, and Eliza D. Fox, their mother, by Wilson and Wallis, her proctors. And on the consent of all parties appearing, the final hearing in this matter having been adjourned to this 21st day of December, at 4 o'clock in the afternoon, at this place. And the proper proceedings, in due form of law, having thereupon been had, and the Surrogate, upon due examination, being satisfied that the said executor has fully complied with the requisite provisions of the statutes concerning the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator and intestate; that the debts for the purpose of satisfying which the said application is made are justly due and owing, and that they are not secured by judgment or mortgage upon or expressly charged on the real estate of the said deceased, and that the same amount to twenty-two thousand and one hundred and ninety-two dollars, exclusive of interest, and that the personal estate of the deceased is insufficient for the payment of such debts, and having satisfactory evidence that the said executor has proceeded with reasonable diligence in converting the personal property of said deceased into money and applying the same to the payment of debts, and having inquired and ascertained whether sufficient moneys for the payment of such debts aforesaid can be raised by mortgaging or leasing the real property of the said deceased, or any part thereof, and it appearing that the moneys required cannot be raised by mortgage or lease advantageously to the estate of the said deceased, and

the said Joseph S. Fay, executor as aforesaid, having executed a bond to the people of this State, with sufficient sureties, approved by the said Surrogate, in the penalty and with the condition prescribed by the statute in such case made and provided, which said bond is filed with the said Surrogate. It is thereupon ordered and the Surrogate aforesaid, pursuant to the statutes aforesaid, doth order that the said Joseph S. Fay, executor as aforesaid, sell the following described real estate, whereof the said testator died seized, to enable him to pay such debts aforesaid of the said testator, that is to say: All that certain island lying and being in the County of Suffolk and State of New York, called Fisher's Island, and the several small islands contiguous thereto called the Homocks, together with the buildings thereon situated; and it is further ordered and directed that the said executor may give to the purchaser at such sale of said real estate a credit, not exceeding three years, for not more than two-thirds of the purchase money of such real estate purchased by him, to be secured by a bond of the said purchaser and by a mortgage of the premises to him sold at the said sale. And it is further ordered that the said executor do make return according to law of all sales made by virtue of this order.

In testimony whereof, the Surrogate of the County of Suffolk has hereunto affixed his seal of office. Witness H. P. HEDGES, Surrogate of the County of Suffolk, at the Surrogate's Office, in the Village of Bridgehampton, this 21st day of December, in the year one thousand eight hundred and seventy-five.

And whereas, the whole of the premises described in the said order have accordingly been sold at public vendue by the said party of the first part on the second day of September, 1875,

at Fisher's Island, in the County of Suffolk, that being the county where the said premises are situate, due notice of the time and place of holding such sale having been given according to law. And whereas, the said party of the first part did make return of his proceedings upon such order of sale to the said Surrogate, in pursuance of the said order and of the statute in such case made and provided. And whereas, afterward the said Surrogate, after examining the said proceedings, did make an order in the words and figures following, to wit :

At a Surrogate's Court held in and for the County of Suffolk at the Surrogate's office in the Village of Bridgehampton on the 30th day of October, in the year one thousand eight hundred and seventy-five.

Present—Hon. H. P. HEDGES, Surrogate.

IN THE MATTER

*of*

The sale of the real estate of Robert R. Fox, deceased, for the payment of his debts.

An order having been duly made by the Surrogate of the County of Suffolk, on the 21st day of December, 1874, authorizing Joseph S. Fay, executor of the last will and testament of Robert R. Fox, deceased, late of the County of Suffolk, to sell the real estate of which the said Robert R. Fox died seized, mentioned and described in said order, to enable him to pay the debts of the said Robert R. Fox therein mentioned. And the said Joseph S. Fay, executor, having this day made his return of his proceedings upon said order, by which said

return it appears that under the said order the said Joseph S. Fay, executor, after having posted and published due notice of the time and place of holding said sale according to law, did on the 2d day of September, 1875, at 12 o'clock noon, and between the hours of nine in the morning and the setting of the sun of the same day, at Fisher's Island, in the County of Suffolk, the place mentioned in said notice, did sell at public vendue the whole of the premises mentioned and described in said order unto James H. Lyles for the sum or price of sixty-eight thousand dollars, and the said Joseph S. Fay having this day appeared before the Surrogate in his own proper person, and by Henry H. Parker, Esquire, his counsel, and having moved for an order confirming the said sale, and Samuel O. Hedges, the special guardian of Fay Fox and Bessie Fox, minor heirs of said deceased, having also appeared for them, and no one appearing in opposition to the confirmation of said sale, and the Surrogate having examined the proceedings upon the aforesaid order of sale, and it appearing to the said Surrogate that the said sale was legally made and fairly conducted, and that the sum bid for the real estate so sold was not disproportionate to its value, it is ordered and decreed, and the Surrogate, pursuant to the provisions of the statutes concerning the powers and duties of executors and administrators in relation to the sale and disposition of the real estate of their testator or intestate, doth order and decree that the said sale of the said real estate so as aforesaid made by the said Joseph S. Fay, executor, be and the same is hereby confirmed. And the said Surrogate, pursuant to the provisions of the statutes aforesaid, doth further order and direct the said Joseph S. Fay, executor of the last will and testament of Robert R. Fox, deceased as aforesaid, to execute a conveyance of the said real estate so sold by him as aforesaid to the said James H. Lyles, the purchaser thereof at said sale. And whereas, the

said party of the first part did at the said sale sell to the said party of the second part, he being the highest bidder for the same. Now, therefore, this Indenture further witnesseth, that the said party of the first part, in pursuance of the said sale and of the said orders of the said Surrogate, and in pursuance of the statutes of this State in such case made and provided, and also for and in consideration of the sum of sixty-eight thousand dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, hath bargained, sold and conveyed, and by these presents doth bargain, sell and convey unto the said party of the second part, his heirs and assigns forever :

All that certain island lying and being in the County of Suffolk and State of New York, called Fisher's Island, and the several small islands contiguous thereto, called "the Homocks," together with the buildings thereon situated. Together with the privileges and appurtenances thereunto belonging or in anywise appertaining, and all the estate, title and interest which the said Robert R. Fox, deceased, at the time of his death had of, in and to the same free and discharged from all claims for dower of Eliza D. Fox, widow of the said Robert R. Fox, deceased. Subject, however, to all charges by judgment, mortgage or otherwise upon the lands so sold existing at the time of the death of the said Robert R. Fox. To have and to hold the above-described and conveyed premises, with the appurtenances, and all the estate, right, title and interest which the said Robert R. Fox at the time of his death had therein unto the said party of the second part, his heirs and assigns forever, as fully and amply as the said party of the first part might, could or ought to sell and convey the same by virtue of the orders above recited and of the statutes of this State made and provided, or otherwise.

In witness whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written.

JOS. S. FAY, [L.S.]  
 Executor of the last will and testament  
 of Robert R. Fox, deceased.

Sealed and delivered in the )  
 presence of {

The word "November" on 1st page, 2d line, and the word "October" on 6th page, 28th line, both written over erasure before execution. Also the word "title" on 10th page, 15th line, and the same word on same page, 29th line, interlined before execution.

G. F. GREENOUGH.

COMMONWEALTH OF MASSACHUSETTS, } ss.:  
 Suffolk County, }

I, FRANCIS W. PALFREY, a Commissioner for the State of New York, residing at Boston in said Suffolk County, do certify that on the 24th day of November, A. D. 1875, personally appeared before me at said Boston, Jos. S. Fay, who is personally known to me to be the individual described in and who executed the foregoing instrument and he then and there acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and official seal at said Boston, this 24th day of November, A. D. 1875.

FRANCIS W. PALFREY, [L.S.]  
 Commissioner for the State of New York.

STATE OF NEW YORK, }  
 Office of the Secretary of State, } ss.:

I hereby certify that Francis W. Palfrey, of Boston, County of Suffolk, and State of Massachusetts, was at the time of taking the proof or acknowledgment mentioned in his annexed certificate a Commissioner for the State of New York, to take the proof and acknowledgment of deeds and other instruments to be used or recorded in this State, and to administer oaths and affirmations; and that such Commissioner was, at the time aforesaid, duly authorized to take the same; and that I have compared the signature of the said Commissioner to the certificate subjoined to the annexed instrument with the signature of such Commissioner deposited in this office, and have also compared the impression of the seal affixed to such certificate with the impression of the seal of such Commissioner deposited in this office, and I verily believe the signature and impression of the seal to the said certificate to be genuine.

Witness my hand and the seal of office of the Secretary of State, at the City of Albany, this twenty-seventh day of November, one thousand eight hundred and seventy five.

[L.S.]      DIEDRICH WILLERS, JR.,  
 Secretary of State.

Recorded on the 30th day of Nov., 1875, at one o'clock P.M., Liber 219, page 62.

DEED, Q. C.

James H. Lyles and Harriet F.,  
 his wife,

*to*

Henry H. Parker.

Dated 30th March, 1876. Recorded 29th April, 1876, Liber 222, page 357.

Conveys :

“All that certain island lying and being in the County of Suffolk and State of New York, called Fisher’s Island, and the several small islands contiguous thereto called “The Hammocks.”

DEED TRUST.

Henry H. Parker and Elizabeth F.,  
his wife,

*to*

James H. Lyles.

Dated 3d June, 1876, recorded 10th June, 1876,  
Liber 221, page 426.

Conveys :

“All that certain island situate, lying and being in the County of Suffolk and State of New York, called Fisher’s Island, and the several small islands contiguous thereto, called the Hammocks, with the buildings thereon situated. In trust, nevertheless, and for the uses and purposes and with the powers following, that is to say : To hold said property and pay over the rents, issues and profits thereof to the use, maintenance and support of Fay Fox and Bessie Fox, minors, children and heirs-at-law of Robert R. Fox, late of the County of Suffolk, deceased, until they, the said Fay Fox and Bessie Fox, shall have attained the age of twenty-one years, and when they shall attain the said age then to convey such portion of said property then remaining unsold to said Fay Fox and Bessie Fox as tenants in common. And if either said Fay Fox or Bessie Fox shall die before attaining the age of twenty-one years, then to convey the share of the one so dying to such person or persons whom she shall appoint by instrument in writing in the nature of a last will and testament, but if either said Fay or said Bessie shall die before attaining said age, leaving no last will and testament and leaving

lawful issue her surviving, then to convey to such issue the share of such property as would have been his, her or their mother's had she reached the said age. And if either said Fay Fox or Bessie Fox shall die before attaining the age of twenty-one years, leaving no lawful issue her surviving and leaving no last will and testament, then to convey the whole of said property to the surviving sister on her attaining the aforesaid age. But if both said Fay and Bessie Fox shall die before attaining the age of twenty-one years, leaving no last will and testament and leaving no issue them surviving, to convey all of said property then remaining unsold to Eliza D. Fox, widow of Robert R. Fox, deceased, or if said Eliza D. Fox should not then be living to convey said property to the children of the said Eliza D. Fox by her first husband, Herman D. Allen, as tenants in common, *per stirpes* and not *per capita*. And the said party of the second part is hereby authorized and empowered to sell at his discretion at any time at private or public sale, and on such terms as to him may seem fit, the whole or any portion of said property or to mortgage or lease the whole or any portion thereof, and for that purpose is hereby authorized and empowered to execute all the necessary deeds of conveyance, mortgages or leases, with full power to convey as though he were vested with the title in fee simple to said property. And in case said party of the second part shall sell the whole or any portion of said property as aforesaid, he shall, after paying the necessary expenses of such sale and paying off and discharging any lien which may be on said premises so sold, invest the proceeds in such securities as to him may seem proper, and pay over the interest and income thereof to the use, maintenance and support of said Fay and Bessie Fox until they shall have attained the age of twenty-one years, and then to pay over to them the principal sum thereof, equally share and share alike. And if either said Fay or said Bessie

Fox shall die before attaining the age of twenty-one years, then to pay over the share of said personal property which would have been hers to such person or persons as she shall appoint to receive the same by any instrument in writing in the nature of a last will and testament, but if either said Fay or said Bessie shall die before attaining said age, leaving no last will and testament and leaving lawful issue her surviving, then to pay over to such issue the share of said property which would have been his, her's or their mother's had she reached the said age. And if either said Fay or said Bessie shall die before attaining the age of twenty-one years, leaving no last will and testament and leaving no lawful issue her surviving, then to pay over the whole of said property to the surviving sister on her attaining the aforesaid age. But if both said Fay and said Bessie Fox shall die before reaching the age of twenty-one years, leaving no last will and testament and leaving no lawful issue them surviving, then to pay over the whole of said property to Eliza D. Fox, widow of Robert R. Fox, deceased, or if said Eliza D. Fox should not then be living to pay over the said property and divide the same equally among the children of the said Eliza D. Fox, by her first husband, Herman D. Allen, *per stirpes* and not *per capita*. And the said party of the second part is hereby authorized to charge and pay to himself out of the proceeds of any sales such reasonable compensation for his labor and services in the care and management of said trust property as to him may seem proper, the same not to exceed the sum of five per cent. on all sales made by him and on the final conveyance of the property, a like percentage on the estimated value of the property.

Said party of the second part is also empowered to employ such superintendent, agents and servants as shall be necessary to the proper carrying on and maintenance of the real property, and should he assume the position of actual superintendent himself,

residing upon said island, he shall be entitled to receive, in addition to the percentage above mentioned, the same compensation as he would have to pay had he employed a third party to fill such office, the pay of such superintendent, agents and servants to be deducted by him from the rents, issues and profits of said island, the income of the proceeds of sales invested as above provided.

In witness whereof, the parties to these presents, have hereunto set their hands and seals the day and year first above written.

HENRY H. PARKER, [L. S.]  
ELIZABETH F. PARKER, [L. S.]

In the presence of

The word "Die" 3d page, 24th  
line, written over an erasure before  
execution.

FRANCIS B. ANTZ.

Said deed is endorsed: "See Liber 253, p. 332;  
Liber 263, p. 7."

Liber 263, p. 7, is hereinafter returned, being  
agreement Lyles, Trustee, with Sage, dated February  
2, 1882.

Liber 253, page 332, contains the following re-  
lease:

RELEASE.

De Witt C. Sage

to

James H. Lyles, Trustee under  
and by virtue of a Trust Deed,  
dated June 3d, 1876, made to him  
by Henry H. Parker and recorded  
in the office of the Clerk of the  
County of Suffolk in Liber 221 of  
Deeds, page 426.

Dated 1st March, 1881. Recorded 15th March,  
1881, Liber 253, p. 332.

Releases the said James H. Lyles, trustee as aforesaid, his successors and assigns, from the operation and effect of a certain agreement made between me and said Lyles, trustee, bearing date the 22d day of May, in the year 1877, so far as the same shall cover and effect the following described property : All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island in the County of Suffolk and State of New York, and bounded and described as follows : Beginning at a mare stone on the crest of the hill set firmly in the ground in the westerly side of said lot, with a drill hole on its top surface marking the point of departure from said drill hole ; a " base line " of eight hundred feet in length bears by course of the magnetic needle north  $85\frac{1}{4}^{\circ}$  east, with a deflection to the left ; from said base line of  $72^{\circ} 10'$ , and by needle north  $13\frac{1}{4}^{\circ}$  east bears the light of the Noank Light House ; from said drill hole, with a deflection to the left, from said Noank Light House of  $45^{\circ} 20'$ , and by compass north  $32^{\circ}$  west bears the light of the Hammock Light House ; from said drill hole, with a deflection to the left from the Hammock Light of  $74^{\circ} 46'$ , and by needle south  $73\frac{3}{4}^{\circ}$  west bears " Race Rock Light " ; from said drill hole, an angle of  $90^{\circ}$  from the said base line, running south  $4\frac{3}{4}^{\circ}$  east eight hundred and fifty-one feet, strikes a point on Isabella Beach at high water mark ; thence easterly by and along Isabella Beach to a point on said beach eight hundred feet, measured on a line running at right angles to the aforesaid line running south  $4\frac{3}{4}^{\circ}$  east, thence north  $4\frac{3}{4}^{\circ}$  west, and in a course parallel to the course running south  $4\frac{3}{4}^{\circ}$  east four hundred and fifty feet to a point at the easterly termination of said base line of eight hundred feet as above described ; thence in the same direction of north  $4\frac{3}{4}^{\circ}$  west produced ten hundred and thirty feet to a mare stone set firmly in the ground, marked by a drill hole in the centre of the top surface at the south side of Oriental Avenue so-called ; thence westerly

by and along the south side of Oriental Avenue so-called eight hundred and fourteen feet, and by course of compass north  $75\frac{1}{2}^\circ$  west to the northwest corner of said lot, released said corner being one hundred and eighteen feet distant from a drill hole in a rock marking the southeast corner of the brick yard lot so-called belonging to D. C. Sage, and course by compass north  $67\frac{1}{2}^\circ$  west; thence from said northwest corner on Oriental Avenue southerly across the pond of water and parallel to the easterly side of said lot; and by compass south  $4\frac{3}{4}^\circ$  east eight hundred and eighty-five feet to the drill hole at the point of beginning, containing  $29\frac{1}{2}$  acres.

## 2.

DEED, Q. C.

James H. Lyles, trustee, &amp;c.,

*to*

Florence M. Murdock.

Dated 26th October, 1876. Recorded 24th November, 1876, Liber 225, p. 340.

Conveys:

“All that certain tract of land situated upon Fisher’s Island in the County of Suffolk and State New York, which is bounded and described as follows: Commencing at a point in the centre of the Serpentine Road leading to Little Hay Harbor, which is distant twenty-five feet in an easterly direction from an iron bolt driven into a rock and distant twenty feet from another iron bolt driven into another rock, said iron bolts being distant forty-one feet from each other; and the said point of beginning being now marked by a stake driven into the ground at the centre of Desbrosses Street so-called, and running thence south  $47^\circ$  east one hundred and thirty feet; thence south  $13^\circ$  west five hundred and six feet; thence south  $25\frac{1}{2}^\circ$  east two hundred and seven feet; thence north  $71\frac{3}{4}^\circ$  east three hundred and sixty-

four feet; thence north  $9\frac{1}{2}^{\circ}$  east one hundred and sixty-four feet; thence north  $22\frac{1}{4}^{\circ}$  west two hundred and fifty-two feet; thence north  $50\frac{1}{2}$  degrees east fifty-nine feet; thence north  $38\frac{1}{2}$  degrees east fifty-nine feet; thence north  $56\frac{1}{2}$  degrees east one hundred and six feet; thence north  $24\frac{3}{4}$  degrees east twenty-one feet; thence south 74 degrees east fifty-one feet; thence north  $15\frac{1}{4}$  degrees east one hundred and eight feet; thence north  $74\frac{1}{2}$  degrees west twenty feet; thence north 9 degrees east one hundred and twenty-five feet; thence north  $83\frac{1}{2}$  degrees west one hundred and sixty-eight feet; thence south  $46\frac{3}{4}$  degrees west two hundred and seventy feet; thence south  $56\frac{1}{4}$  degrees west seventy-four feet; thence south 76 degrees west two hundred and eighty-six feet to a point on the easterly side of said Desbrosses Street, and thence thirty feet to the point or place of beginning.

And the said party of the second part, for and in consideration of the conveyance of the above mentioned and described lands and premises by these presents, hath covenanted and agreed, and by these presents doth for herself, her heirs and assigns, owning or having at any future time any estate, right, title or interest of, in and to the above described lands and premises, or any part thereof, covenant and agree to and with the said party of the first part, his successors and assigns, that there shall not be erected or allowed to be erected or carried on the lands and premises hereby conveyed, or any part thereof, any slaughter-house, tallow chandlery, any manufactory of gunpowder, glue, varnish, vitriol, ink, petroleum or turpentine; any bone, oil or fish-factory; any establishment for tanning, dressing or preparing skins, hides or leather, or any other trade, manufactory business, or employment, or calling, which may be in anywise dangerous, noxious, offensive or disagreeable to the neighboring inhabitants; and that the covenants and agree-

ments herein contained on the part of the said party of the second part, her heirs and assigns, shall run with the land and shall be obligatory on every person or persons, corporation or corporations; owning the same, or having any estate, right, title or interest therein, that would enable them or any of them to violate any of the said covenants or agreements. Provided, nevertheless, that no person or persons, corporation or corporations, shall be in anywise liable for any damages for a violation of the said covenants and agreements, or any or either of them, unless he, it or they shall at the time of such violation be the owners of, or in the possession or occupancy of the said lands and premises hereby conveyed, or of some part thereof, whereon or by means of which any such violation shall occur, or shall willfully and personally, or by its, his or their servants or agents, violate the same or any of them.

RELEASE.

Joseph S. Fay, Eliza D. Fox,  
Elizabeth A. Hood and Harriet  
F. Lyles,

*to*

Florence M. Murdock.

Dated 26th Oct., 1876. Recorded Nov. 24th, 1876,  
Liber 225, p. 343.

Releases the premises in deed, Liber 225, p. 340, and above returned, from four mortgages, all dated the 30th of March, 1876, and made and executed by James F. Lyles and Harriet F., his wife. The first to Joseph S. Fay, the second to Eliza D. Fox, the third to Elizabeth A. Hood and the fourth to Henry H. Parker, who did thereafter by written instrument duly assign the last mentioned indenture to the said Harriet F. Lyles.

## MORTGAGE.

James H. Lyles and Harriet F.,  
his wife,

*to*

Joseph S. Fay.

Dated 30th March, 1876. Recorded 29th April,  
1876, Liber 127, p. 368, to secure \$14,852.96.

Affects:

“All that certain island lying and being in the  
County of Suffolk and State of New York, called  
Fisher’s Island, and the several small islands con-  
tiguous thereto called the Hammocks.” Endorse-  
ments as follows:

See Liber 228 of Deeds, pp. 315, 321, 325, 347;  
Liber 229, pp. 197, 484; Liber 233, p. 567; Liber 238,  
p. 389; Liber 263, p. 3; Liber 243, p. 60; Liber 225,  
p. 343.

## MORTGAGE.

James H. Lyles and Harriet F.,  
his wife,

*to*

Eliza D. Fox.

Dated 30th March, 1876. Recorded 29th April,  
1876, Liber 127, p. 370. To secure \$51,902.95.

Affects:

Same premises described in last return.

Endorsements as follows:

See Liber 228 of Deeds, pp. 315, 321, 347; Liber  
229, pp. 197, 484; Liber 233, pp. 567; Liber 238, p.  
389; Liber 263, p. 3; Liber 243, p. 60; Liber 225,  
p. 343.

## MORTGAGE.

James H. Lyles and Harriet F.,  
his wife,

*to*

Elizabeth A. Hood.

Dated 30th March, 1876. Recorded 29th April,  
1876, Liber 127, p. 371. To secure \$3,639.00.

Affects:

Same premises as are affected by last two re-  
turns.

Endorsements:

See Liber 228 of Deeds, p. 347; Liber 229, pp. 197,  
484; Liber 233, p. 567; Liber 238, p. 389; Liber 253,  
p. 541; Liber 263, pp. 16, 3; Liber 243, p. 60; Liber  
225, p. 343.

## MORTGAGE.

James H. Lyles and Harriet F.,  
his wife,

*to*

Florence E. Murdock.

Dated 30th March, 1876. Recorded 29th April,  
1876, Liber 127, p. 373. To secure .

Affects:

Same premises as the last three returned.

Endorsement:

Cancelled. See Liber 129, p. 480.

## MORTGAGE.

James H. Lyles

*to*

Henry H. Parker.

Dated 30th March, 1876. Recorded 29th April,  
1876, Liber 127, p. 375.

Affects :

The same premises as the last returned.

Endorsements :

See Liber 228 of Deeds, pp. 315, 321, 347; Liber 229, pp. 197, 484; Liber 233, p. 567; Liber 238, p. 389; Liber 263, p. 3; Liber 228, p. 343; Liber 243, p. 60; Liber 225, p. 343.

Assigned to Harriett F. Lyles. See Liber 129, p. 427.

RELEASE.

Joseph S. Fay, Eliza D. Fox, Elizabeth A. Hood and Harriet F. Lyles

*to*

James H. Lyles, Trustee.

Dated 10th May, 1877. Recorded May 26th, 1877, Liber 228, p. 315.

Releases the following premises from four mortgages, all dated the 30th of March, 1876, and made and executed by James H. Lyles and Harriet F., his wife. The first to Joseph S. Fay, the second to Eliza D. Fox, the third to Elizabeth A. Hood and the fourth to Henry H. Parker, who did thereafter by written instrument duly assign the last-mentioned indenture to the said Harriet F. Lyles. "All that portion of the island known as Fisher's Island, in said County of Suffolk and State of New York, lying and embraced between the two following described lines as distinguished from the remaining portions of the said island lying beyond and outside of the said lines. The first of said lines being the northeasterly boundary of the premises hereby granted and released is described as follows: Commencing on the easterly shore of said island at a point marked by a drill hole in a high rock, which is distant eighty feet from another rock near the bank and distant fifty-seven feet from

another large rock lying southerly therefrom, the two rocks last mentioned being distant from each other sixty-four feet and lying together with the first mentioned rock about three hundred to five hundred feet southerly from a stone fence or wall which is laid down on the map or chart of said Fisher's Island, and from said point of beginning, running in a direction north, thirty-seven and three quarter degrees ( $37\frac{3}{4}^{\circ}$ ) west one thousand six hundred and fifty (1,650) feet to the edge of woods at the southerly side of the meadow belonging to the white house, and thence continuing in the same direction the further distance of one thousand and fifty (1,050) feet through the woods to a point on the shore of the West Harbor. The second of said lines being the southwesterly boundaries of the premises hereby granted and released is described as follows: Commencing at a point on the west bank of the fresh water ice pond at its intersection with the road leading from the Durfey Meadow to the South Meadow, from which point Montauk Light bears south twenty-four and one-quarter degrees ( $24\frac{1}{4}$ ) east; the new Race Point Light bears south seventy-two and one-quarter degrees ( $72\frac{1}{4}$ ) west; the centre of the United States Wrecking Station bears south eighty-one and three-quarters degrees ( $81\frac{3}{4}$ ) west, and the centre of the gateway opening into Durfey Grass Meadow bears north seventy and one-half degrees ( $70\frac{1}{2}$ ) east; and is sixteen hundred and forty-two (1,642) feet distant, and from said point of beginning, running in a direction north forty-eight and three-quarters degrees ( $48\frac{3}{4}^{\circ}$ ) west three thousand three hundred and seventeen (3,317) feet to a point at the eastern bank of Silver Lake, which is marked by a peg or stake driven into the ground, and is twenty-five (25) feet distant from a loose rock lying northerly therefrom and twenty-one feet (21) and six (6) inches from another loose rock lying easterly therefrom, the said line being continued in each extremity in

the line of the same direction as aforesaid until it reaches the salt water upon the edge of the shore. Saving and excepting and reserving, nevertheless, of north of the said premises so as aforesaid lying between the two lines aforesaid, the main building now standing upon the said premises and the tract known as the Durfey Grass Meadow, which tract comprises about forty and one-half acres ( $40\frac{1}{2}$ ) and is described and bounded as follows: Commencing at the gate at the southwesterly corner of said meadow near the Pump House at a point lying sixteen hundred and forty-two (1,642) feet distant from the above described point of beginning of the second or southwesterly line aforesaid, and lying in a direction north seventy and one-half degrees ( $70\frac{1}{2}^\circ$ ) therefrom, and from said point at said gate, running first by and along the fence south thirty and three-quarters degrees ( $30\frac{3}{4}^\circ$ ) east one hundred and fifty-four (154) feet; thence south eighty-one and one-half degrees ( $81\frac{1}{2}^\circ$ ) east by tide water one thousand and forty-six (1,046) feet; thence north twenty and one-quarter degrees ( $20\frac{1}{4}^\circ$ ) east two hundred and eighty-four (284) feet; thence north twenty-eight and one-half degrees ( $28\frac{1}{2}^\circ$ ) east three hundred and forty-five feet (345) to the road; thence along the road north sixty-one and three-quarters degrees ( $61\frac{3}{4}^\circ$ ) west two hundred and twenty-eight (228) feet; thence still along the road north thirty-six and one-half degrees ( $36\frac{1}{2}^\circ$ ) west one thousand one hundred and thirty-one (1,131) feet; thence south fifty-six and one-quarter degrees ( $56\frac{1}{4}^\circ$ ) west four hundred and ninety-four (494) feet; thence north thirty-four degrees (34) west two hundred and seventeen (217) feet; thence north seventy-eight and three-quarters degrees ( $78\frac{3}{4}^\circ$ ) west three hundred and fifty (350) feet; thence south seventy-nine and one-half degrees ( $79\frac{1}{2}^\circ$ ) west one hundred (100) feet; thence south sixteen degrees ( $16^\circ$ ) east nine hundred and seventy-five feet (975), and thence south thirty and three-quarters degrees

( $30\frac{3}{4}^{\circ}$ ) east three hundred and seventy-five (375) feet to the point of beginning, to the intent that the portion of said premises so as aforesaid saved, excepted and reserved shall still remain subject to the aforesaid mortgages as heretofore and shall not be embraced in the premises hereby granted and released to the said party of the second party.

RELEASE.

Joseph S. Fay, Eliza D. Fox and  
Elizabeth A. Hood and Harriet  
F. Lyles.

*to*

James H. Lyles, Trustee.

Dated 11th May, 1877. Recorded 26th May, 1877,  
Liber 228, p. 321.

Releases the following premises from three mortgages, all dated the 30th of March, 1876, made and executed by James F. Lyles and Harriet F., his wife, the first to Joseph S. Fay, the second to Eliza D. Fox, and the third to Henry H. Parker, who did by written instrument duly assign the last-mentioned indenture to the aforesaid Harriet F. Lyles :

“All that certain tract of land situate upon Fisher’s Island, in the County of Suffolk and State of New York, which is bounded and described as follows: Beginning at a point upon the shore of said island, upon the easterly side of the West or Great Harbor, which point is designated by a mark upon a high rock at the termination of a fence now standing at high water mark upon the shore aforesaid, and thence running south thirty-four degrees ( $34^{\circ}$ ) east, and part of the way through a swamp, one thousand five hundred and forty-eight (1,548) feet to a rock on the northerly side of Eastern Point Road, which rock lies four (4) feet distant in

a westerly direction from another rock; thence north forty-nine and one-quarter degrees ( $49\frac{1}{4}^{\circ}$ ) east by and along said Eastern Point Road, one thousand three hundred and sixty (1,360) feet to a point marked by a stake driven into the ground; thence north fifty-six and one-quarter degrees ( $56\frac{1}{4}^{\circ}$ ) east three hundred and forty (340) feet to a drill hole in a low permanent rock; thence north thirty three and one-half ( $33\frac{1}{2}^{\circ}$ ) west, and in a direct line with the direction of the light upon the North Hammock from the point last mentioned, one thousand and forty (1,040) feet to high water mark upon the said easterly shore of said West or Great Harbor; and thence in a general southwesterly direction, following the variations and curvatures of the said shore, about one thousand eight hundred (1,800) feet to the point or place or beginning, containing forty-nine and one-half ( $49\frac{1}{2}$ ) acres more or less."

RELEASE.

Joseph S. Fay, Eliza D. Fox,  
Elizabeth A. Hood and Harriet  
F. Lyles

*to*

Thomas R. Darrow and Harmon  
T. Darrow.

Dated 26th Oct., 1876. Recorded 29th May, 1877,  
Liber 228, p. 347.

Releases the following premises from four mortgages, all dated the 30th of March, 1876, and made and executed by James H. Lyles and Harriet F., his wife, the first unto Joseph S. Fay, the second unto Eliza D. Fox, the third to Elizabeth A. Hood, the fourth unto Henry H. Parker, who did thereafter, by written instrument, duly assign the last mentioned indenture to the said Harriet F. Lyles:

"All that certain tract of land situate upon Fisher's Island, in the County of Suffolk and State

of New York, being upon the 'Little Hay Harbor' upon said island, which tract is bounded and described as follows: Commencing at a point on the northwesterly side of the premises hereby conveyed, which point is distant twenty-five feet easterly from an iron bolt imbedded in a large rock and fifteen feet westerly from an iron bolt driven into a large flat rock, and also one hundred and forty-three feet from the shed room attached to the dwelling house on the said premises, and being north 43 degrees east two hundred and twenty-one feet from a stake driven into the ground at high water mark, and running thence south  $31\frac{3}{4}$  degrees west one hundred and six feet to a stake; thence south  $19\frac{1}{2}$  degrees west two hundred and six feet to a stake; thence south  $71\frac{1}{4}$  degrees east two hundred and thirty feet to a stake; thence south 74 degrees east two hundred and forty-two feet to a stake; thence north 53 degrees east one hundred and fifty-seven feet to a stake; thence due north one hundred and twenty feet to high water mark; thence by and along with the shore to the northerly terminus of said first course at said shore at high water mark; and thence north forty-three degrees east two hundred and twenty-one feet to the point of beginning."

3

## DEED Q. C.

James H. Lyles, Trustee,

*to*

Thomas R. Darrow and Harmon

T. Darrow.

Dated 26th Oct., 1876. Recorded 29th May, 1877,  
Liber 228, p. 352.

Conveys same premises as described in last above  
return—release.

Covenants 1 and 2 hereinafter returned.

## RELEASE.

Joseph S. Fay, Eliza D. Fox,  
Elizabeth A. Hood and Harriet  
F. Lyles,

*to*

Frances Catharine Hedge.

Dated 26th Oct., 1876. Recorded 6th July, 1877,  
Liber 229, p. 197.

Releases the following described premises from four mortgages made and executed by James H. Lyles and Harriet, his wife, on the 30th of March, 1876, the first unto Joseph S. Fay, the second unto Eliza D. Fox, the third to Elizabeth A. Hood, and the fourth unto Henry H. Parker, who did thereafter, by written instrument, duly assign the last mentioned indenture to the said Harriet F. Lyles :

“ All that certain tract of land situate upon Fisher’s Island, in the County of Suffolk and State of New York, being upon the ‘Great Harbor’ upon said island, which tract is more particularly described as follows : Commencing at a point on a large rock in an angle of the wall fence, which point is distant fifty feet from an iron bolt driven into a high boulder and thirty-eight feet from an iron bolt driven into a smaller rock (said rocks being sixty-four feet apart), and running thence south  $48\frac{1}{2}$  degrees east ninety feet to a stake; thence south  $20\frac{1}{2}$  degrees east one hundred feet to a stake; thence south  $17\frac{1}{2}$  degrees east one hundred and sixty-three feet to a stake; thence south  $12\frac{1}{2}$  degrees east one hundred and forty-one feet to a stake; thence south  $86\frac{1}{2}$  degrees east one hundred and three feet to a stake; thence north  $80\frac{1}{2}$  degrees east seventy-three feet to a stake; thence north  $61\frac{1}{4}$  degrees east thirty-three feet to the sea wall at high water-mark; thence by and along with the shore to the southwesterly corner of the premises hereby conveyed at a wall running from the water southeasterly up the bluff;

thence by and with said wall south  $75\frac{1}{2}$  degrees east fifty-seven feet to a stake: thence south 35 degrees east one hundred and forty feet to a stake: and thence south  $29\frac{3}{4}$  degrees east one hundred and fifty-nine feet to the point of beginning, the house on said premises being known as the Brown House."

4.

## DEED Q. C.

James H. Lyles, Trustee,

*to*

Frances Catharine Hedge.

Dated 26th of October, 1876. Recorded 6th of July, 1877, in Liber 229, page 201.

Conveys:

Same premises last above described. Covenants 1 and 2 hereinafter returned.

5.

## DEED.

James H. Lyles, Trustee,

*to*

Frances Catharine Hedge.

Dated 1st of May, 1877. Recorded 6th of July, 1877, in Liber 229, page 204.

Conveys:

"All that certain tract of land situate upon said Fisher's Island, in said County of Suffolk and State of New York, which is bounded and described as follows: All that certain peninsula of land which runs out into the West or Great Harbor and is surrounded upon all sides by the water of said harbor, excepting only where it is connected with the main land of said island by a narrow strip of land, and upon the said strip of land the premises hereby described and conveyed are bounded on the easterly

side by a line running from water to water, as follows : Commencing at a point on the southerly shore thereof on a hard ridge of land, which point is distant thirty-three (33) feet in an easterly direction from a large rock and running thence due north in a straight line along and upon said ridge two hundred and thirty (230) feet to the northerly shore thereof at a point distant eighty-one feet in a westerly direction from another large rock.

Covenants 1 and 2 hereinafter returned.

RELEASE.

Joseph S. Fay, Eliza D. Fox,  
Elizabeth A. Hood and Harriet  
D. Lyles,

*to*

Bathsheba E. Barlow.

Dated 28th of June, 1877. Recorded August 10th, 1877, in Liber 229, page 484.

Releases the following described premises from four mortgages made and executed by James H. Lyles and Harriet F., his wife, all dated the 30th of March, 1876, the first unto Joseph S. Fay, the second unto Eliza D. Fox, the third to Elizabeth A. Hood, and the fourth unto Henry H. Parker, who did thereafter, by written instrument, duly assign the last mentioned indenture to the aforesaid Harriet F. Lyles : "All that certain tract, piece or parcel of land situate upon Fisher's Island, in the said County of Suffolk and State of New York, which is described as follows, to wit : Beginning on the easterly shore of the West or Great Harbor at a point about a mile southerly from Clay Point and at the termination of a wall now standing, which runs from the first of the ponds hereinafter mentioned, to the shore of said West Harbor, and from said point of beginning at the termination of said wall run-

ning in a northerly direction along the shore aforesaid to a point where a line drawn parallel to the said wall and distant two hundred feet therefrom on the northeasterly side thereof would intersect the line of said shore; thence in an easterly direction along said last mentioned line parallel to said wall and distant two hundred feet northerly therefrom to the point where said line intersects the shore of the pond aforesaid; thence in a southerly direction following the shore of said pond to the easterly termination of said wall and passing the same and still following said shore to the point where a second line drawn parallel to the said wall and distant one hundred and twenty-feet therefrom on the southerly side thereof would intersect the said shore; thence westerly along the last mentioned line parallel to said wall and distant one hundred and twenty-feet northerly therefrom to the point where said line intersects the shore of the West Harbor aforesaid; and thence northerly along the said shore of West Harbor to the said wall at the point or place of beginning; together with all lands lying under water or beyond high water mark to the westerly of the above-described premises and lying between the two lines aforesaid on a prolongation of the same for the distance of two hundred feet each into the waters of said West Harbor, saving, reserving and excepting, however, the road now passing across the aforesaid premises, which is to be and remain a public thoroughfare, anything herein contained to the contrary notwithstanding.

## 6.

DEED, Q. C.

James H. Lyles, Trustee,

*to*

Bathsheba E. Barlow.

Dated 28th June, 1877. Recorded 10th Aug., 1877,  
Liber 229, p. 490.

Conveys the same premises last above described. Covenant 2 hereinafter returned and see covenant annexed hereto.

Provided, nevertheless, anything herein contained to the contrary notwithstanding, and this conveyance is made upon this express condition, that in case the ice business, which it is provided by written agreement between said Lyles and said Barlow of even date herewith is to be carried on upon said premises, shall be abandoned at any time before the expiration of the period in said agreement fixed and provided then the said premises hereby granted and each and every part thereof shall forthwith revert back to and vest in said Lyles, his successors and assigns, in fee.

Liber 229, p. 490.

## 7.

## DEED.

James H. Lyles, Trustee,

*to*

William A. Fones.

Dated 27th July, 1877. Recorded 7th Sept., 1877, Liber 230, p. 122.

Conveys :

“All that certain lot, piece or parcel of land situate, lying and being upon Fisher’s Island, in the County of Suffolk and State of New York, which is bounded and described as follows : Beginning at the southeasterly corner of the lot hereby conveyed, being a point on the westerly side of the Eastern Point Road, distant (15) feet from the end of the wall south of the gateway across said road, and running thence south sixty-three degrees (63°) west one hundred and forty-six (146) feet to a point in said wall at the southwesterly corner of said lot; thence north thirty-nine degrees thirty minutes (39° 30′) west three hundred and thirty (330) feet

to the easterly side of a street hereafter to be straightened; thence along said easterly side of said street north eighteen degrees thirty minutes ( $18^{\circ} 30'$ ), east two hundred and ninety (290) feet to the southerly side of said Eastern Point Road, and thence along the southerly side of said Eastern Point Road south twenty-seven degrees forty-five minutes ( $27^{\circ} 45'$ ) east five hundred and twenty-four (524) feet to the place of beginning, containing one acre three roods and eighteen rods of land.

Covenants 1 and 2 hereinafter returned.

8.

DEED, Q. C.

James H. Lyles, Trustee,

*to*

Charlotte Augusta Allen.

Dated 22d May, 1877. Recorded 20th Sept., 1877.  
Liber 230, p. 257.

Conveys:

“All that certain tract of land situated upon Fisher’s Island, in the County of Suffolk and State of New York, which is bounded and described as follows: Beginning at a point on the easterly side of the east shore road between the Mansion House and the Durfey Grass Meadow, said road being taken as forty (40) feet from the southernmost gate post now standing, and running thence along the easterly line of said road south thirty-six and one-half ( $36\frac{1}{2}$ ) degrees east four hundred and seventeen and one-half ( $417\frac{1}{2}$ ) feet; thence north fifty-three and one-half degrees ( $53\frac{1}{2}^{\circ}$ ) east four hundred and seventeen and one-half ( $417\frac{1}{2}$ ) feet; thence north thirty-six and one-half degrees ( $36\frac{1}{2}^{\circ}$ ) west four hundred and seventeen and one half ( $417\frac{1}{2}$ ) feet, and thence south fifty-three and one-half degrees ( $53\frac{1}{2}^{\circ}$ ) west four hundred and seventeen and one-half ( $417\frac{1}{2}$ ) feet to the point or place of beginning, containing acres of land more or less.”

Covenants 1 and 2 hereinafter returned.

9.

DEED.

James H. Lyles, Trustee,

*to*

William Henry Heiss.

Dated 24th August, 1877. Recorded 20th September, 1877, in Liber 230, p. 264.

Conveys :

“All that certain tract, piece or parcel of land situate, lying and being on Fisher’s Island, in the County of Suffolk and State of New York, known as Twin Hill, and bounded as follows, to wit: Beginning at a point on the easterly side of a road laid out on said island, which point is distant twelve (12) feet easterly from the end of a wall terminated by a large gate through which said road passes, and running thence along said road south six and one-half degrees east (S.  $6\frac{1}{2}^{\circ}$  E.) three hundred and sixty (360) feet; thence south sixty-eight degrees east (S.  $68^{\circ}$  E.) two hundred and seventy-two (272) feet; thence north six degrees east (N.  $6^{\circ}$  E.) four hundred and twenty-one (421) feet to said wall, and thence along said wall north eighty-three degrees west (N.  $83^{\circ}$  W.) three hundred and fifty (350) feet to the place of beginning, containing two acres and seventy-five one-hundredths of an acre of land.

Covenants 1 and 2 hereinafter returned.

10.

DEED.

James H. Lyles, Trustee,

*to*

William Henry Heiss.

Dated 24th August, 1877. Recorded 20th September, 1877, in Liber 230, p. 266.

Conveys :

“All that tract or parcel of land situate, lying

and being on Fisher's Island, in the County of Suffolk and State of New York, known as Mystic Hill, and bounded and described as follows: Beginning on the shore at a large rock ten feet high and running thence along the shore north 30 minutes east (N. 30' E.) one hundred and fifty (150) feet to a stone with a hole drilled in the top; thence north seventy-nine degrees west (N. 79° W.) five hundred and thirty-five (535) feet; thence south thirty-one and a quarter degrees (S. 31¼° W.) two hundred and two (202) feet; thence south fifty-four and a quarter degrees east (S. 54¼° E.) five hundred and eighty (580) feet to the shore, and thence along the shore north thirty-six degrees east (N. 36° E.) three hundred feet to the point of beginning, containing four and two-tenth ( $4\frac{2}{10}$ ) acres of land.

Covenants 1 and 2 hereinafter returned.

## 11.

### DEED.

James H. Lyles, Trustee,

*to*

William Henry Heiss.

Dated 24th August, 1877. Recorded 20th September, 1877, in Liber 230, p. 269.

Conveys :

“ All that tract or parcel of land situate, lying and being on Fisher's Island, and in the County of Suffolk and State of New York, at Meadow Hill, and bounded and described as follows: Beginning at the northwest corner of said premises at the intersection of two ditches, and running thence along a ditch south forty-nine degrees west (S. 49° W.) three hundred and sixty (360) feet to the north-easterly side of “Circular Drive” (or Crescent Avenue) as laid down on a map entitled “property of Charles L. Richards, Henry L. Parker, James M.

Meach, mapped and surveyed by E. B. Jennings, City Surveyor, New London, 1877"; thence the northeasterly side of said "Circular Drive" (or Crescent Avenue) south sixty-one degrees east (S. 61° E.) two hundred and nineteen (219) feet to the southeasterly side of the road leading to the wharf, as laid down on said map; thence along the southeasterly side of said road north fifty-one degrees east (N. 51° E.) three hundred and nineteen (319) feet to the shore of "Great Harbor"; thence along the shore north seventeen and three-quarters degrees east (N. 17 $\frac{3}{4}$ ° E.) seventy-five (75) feet to a ditch; thence north sixty-four degrees west (N. 64° W.) along said ditch two hundred and thirty (230) feet to the place of beginning containing two and one-tenth ( $2\frac{1}{10}$ ) acres of land, be the same more or less.

Covenants 1 and 2 hereinafter returned.

**12.**

DEED.

James H. Lyles, Trustee,

*to*

Charles L. Richards, Henry L.  
Parker and James M. Meech.

Dated 24th Aug., 1877. Recorded 15th Oct.,  
1877, Liber 230, p. 549.

Conveys:

"All that tract or parcel of land situate, lying and being in Fisher's Island, in the County of Suffolk and State of New York, which is shown on a map thereof entitled 'Property of Charles L. Richards, Henry L. Parker and James M. Meech,' made by E. B. Jennings and intended to be filed in the office of the Clerk of Suffolk County, is bounded and described as follows: Beginning at a rock with drill holes on the southwesterly shore of Great Harbor and southerly of the road leading to the wharf as

laid down upon said map, and running thence south forty-seven and three-quarters degrees west (S.  $47\frac{3}{4}^{\circ}$  W.) four hundred and thirty-one (431) feet crossing the 'Circular Drive' or 'Crescent Avenue,' as laid down on said map; thence north fifty-four and one-half degrees west (N.  $54\frac{1}{2}^{\circ}$  W.) five hundred and fifty (550) feet; thence north twenty-eight and three-quarters degrees east (N.  $28\frac{3}{4}^{\circ}$  E.) two hundred (200) feet to the southwesterly side of said 'Circular Drive' or 'Crescent Avenue'; thence along said southwesterly side of said 'Circular Drive' or 'Crescent Avenue' south sixty-one degrees east (S.  $61^{\circ}$  E.) four hundred and eight (408) feet to a point where the southeasterly side of said road leading to the wharf if extended southwesterly would strike the same; thence along the southeasterly side of said road leading to the wharf north fifty-one degrees east (N.  $51^{\circ}$  E) three hundred and forty (340) feet to the southwesterly shore of said Great Harbor, and thence along the shore of Great Harbor southeasterly to the point of beginning. Excepting therefrom so much of the above described premises as is included in said Circular Drive or Crescent Avenue, as laid down on said map, containing four and three-quarter acres of land, be the same more or less.

**13.**

## DEED.

James H. Lyles, Trustee,

*to*

F. L. and C. H. Gardner.

Dated 1st Oct., 1877. Recorded 24th Oct., 1877,  
Liber 231, p. 48.

Conveys:

" All that certain lot, tract or parcel of land situated and lying on Fisher's Island, in the County of Suffolk and State of New York, bounded and de-

scribed as follows, viz.: Said lot lies between Avenue B on the north and Avenue C on the south, and adjoining Avenue A on the east, as marked out and delineated on the map made by D. A. Daboll, C. E., which map shows the location of said avenues and a reference being had thereto. Beginning at the northeast corner of this tract at the intersection of the south line of Avenue B with the west line of Avenue A; thence south  $13\frac{3}{4}^{\circ}$  west with the west line of Avenue A two hundred and eighty-four (284) feet to the north side of Avenue C; thence south  $83\frac{1}{2}^{\circ}$  west with the north side of said Avenue C one hundred and forty-eight feet (148); thence north  $13\frac{3}{4}^{\circ}$  east parallel with the west line of Avenue A three hundred and twenty feet (320) to north side of Avenue B; thence south  $69\frac{1}{2}^{\circ}$  east with the south line of said Avenue B one hundred and forty-five feet (145) to the place of beginning, containing one acre of land, be the same more or less."

Covenants 1 and 2 hereinafter returned.

**14.**

DEED.

James H. Lyles, Trustee,

to

James Walker, Lutina S. Walker  
and William C. Walker.

Dated 17th Oct., 1877. Recorded Oct. 24th, 1877,  
Liber 231, p. 51.

Conveys :

"All that certain tract, lot or parcel of land situate, lying and being on Fisher's Island, and in the County of Suffolk and State of New York, and bounded and described as follows, viz.: Beginning at the northwest corner of the tract or lot, sold to F. L. and C. H. Gardner, on Avenue B; thence south  $13\frac{3}{4}^{\circ}$  west three hundred and twenty feet (320) to Avenue C; thence with the north line of Avenue

C north  $83\frac{1}{2}^{\circ}$  degrees west one hundred and thirty-one and one-half feet ( $131\frac{1}{2}$ ); thence north  $13\frac{3}{4}^{\circ}$  east three hundred and fifty-eight feet (358) to Avenue B; thence with the south line of said avenue south  $70^{\circ}$  east one hundred and thirty-six feet (136) to the place of beginning (the east and west lines of this tract run parallel to each other), containing one acre of land, be the same more or less. Also that certain lot, tract or parcel of land situated, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows, viz.: Beginning at the north-west corner of the above-described section on the south side of Avenue B thence south  $13\frac{3}{4}^{\circ}$  west three hundred and fifty-eight feet (358) to the north side of Avenue C; thence with the north line of said Avenue C north  $83\frac{1}{2}^{\circ}$  west one hundred and twenty-one and eight-tenth feet ( $121\frac{8}{10}$ ); thence north  $13\frac{3}{4}^{\circ}$  east (running parallel with the east line of this tract) three hundred and eighty-five feet (385) to the south line of Avenue B; thence with said south line of Avenue B south  $70\frac{1}{2}^{\circ}$  east one hundred and nineteen and one-half feet ( $119\frac{1}{2}$ ) to the place of beginning, containing one acre of land, be the same more or less.

Covenants and hereinafter returned.

**15.**

## AGREEMENT.

James H. Lyles, Trustee,

*and*

De Witt C. Sage.

Dated 22d May, 1877. Recorded Nov. 28th, 1877,  
Liber 231, p. 347.

This agreement, made and entered into this twenty-second day of May, in the year eighteen hundred and seventy-seven, by and between James H. Lyles of the City of Brooklyn in the State of New York,

trustee, under and by virtue of a trust deed dated June 3d, 1876, made to him by Henry H. Parker and wife, and recorded in the office of the Clerk of Suffolk County in Liber 221 of Deeds, page 426, and De Witt C. Sage of the Town of Cromwell in the State of Connecticut, witnesseth, that whereas said Lyles, as such trustee, has by deed bearing even date herewith conveyed to said Sage certain lands and premises situate upon Fisher's Island, in said County of Suffolk and State of New York; and whereas, said conveyance has been made in view of the terms of this agreement as hereinafter expressed. Now, therefore, in consideration of the premises and of the covenants, promises and agreements herein contained to be kept and performed by the respective parties hereto, it is hereby covenanted and agreed between the parties aforesaid as follows :

The said Lyles as such trustee hereby gives and grants to the said Sage and to his heirs, executors and administrators the privilege of digging upon the lands now of said Lyles, trustee, and using such clay, sand and water as may be necessary to enable said Sage to carry on the manufacturing of bricks upon said Fisher's Island, as herein agreed, together with the right of way to pass to and from the clay pits, now open or which shall be opened by said Sage, by and over such roads as said Sage may construct therefor, provided, however, that said Sage shall not so construct or use said clay pits or roads as to obstruct travel upon the roads which now are or hereafter may be used as public roads or thoroughfares upon said island. And it is further agreed that said Lyles, trustee, will not interfere with any clay pits which shall be opened and used by said Sage, or grant to any other person the right to use or interfere with the same, or sell or otherwise dispose of the land whereon such clay pits may be in such manner as to prevent the enjoyment by said Sage of his full right under this agreement. And it is also agreed that in case any of the clay pits

opened or owned by said Sage shall at any time be in a dangerous condition, then the same shall be properly fenced and enclosed by said Sage so effectually to avoid danger of injury to persons and to cattle. And it is further agreed that said Sage shall forthwith erect upon the premises so conveyed to him as aforesaid sufficient machinery for the manufacture of at least five million brick per annum, and shall prosecute thereon and therewith the business of manufacturing brick to the best of his ability, and shall also pay to the said Lyles, as such trustee, a royalty of ten (10) cents per thousand upon all brick which shall be so manufactured, and shall furnish from time to time, and at all reasonable time, statements showing the number of bricks so manufactured, and that the amounts which shall be payable for such royalties as aforesaid shall become due and payable upon the first day of January in each and every year. And it is further agreed that this agreement and all the provisions hereof shall endure to the benefit of and be binding upon the heirs, executors, administrators and assigns of said Sage and the successors and assigns of said Lyles as such trustee.

**15.**

## DEED.

James H. Lyles, Trustee,

*to*

DeWitt C. Sage.

Dated 22d May, 1877. Recorded Nov. 28th, 1877,  
Liber 231, p. 349.

Conveys :

“All that certain tract of land situate upon Fisher’s Island, in the County of Suffolk and State of New York, which is bounded and described as follows :

Beginning at a point on the shore of said island

upon the easterly side of the West or Great Harbor, which point is designated by a mark upon a high rock at the termination of a fence now standing at high water mark upon the shore aforesaid, and thence running south thirty-four degrees ( $34^\circ$ ) east and part of the way through a swamp one thousand five hundred and forty-eight (1,548) feet to a rock on the northerly side of Eastern Point Road, which rock lies four (4) feet distant in a westerly direction from another rock; thence north forty-nine and one-quarter degrees ( $49\frac{1}{4}^\circ$ ) east by and along said Eastern Point Road one thousand three hundred and sixty (1,360) feet to a point marked by a stake driven into the ground: thence north fifty-six and one-quarter degrees ( $56\frac{1}{4}^\circ$ ) east three hundred and forty (340) feet to a drill-hole in a low permanent rock; thence north thirty-three and one-half degree ( $33\frac{1}{2}^\circ$ ) west and in a direct line with the direction of the light upon the North Hammock from the point last mentioned one thousand and forty (1040) feet to high-water-mark, upon the said easterly shore of said West or Great Harbor, and thence in a general southwesterly direction, following the variations and curvatures of said shore, about one thousand eight hundred (1,800) feet to the point or place of beginning, containing forty-nine and one-half ( $49\frac{1}{2}$ ) acres, more or less."

**16.****DEED.**

James H. Lyles, Trustee,

*to*

Edgar A. Smith.

Dated 1st Sept., 1877. Recorded 11th Jan., 1878,  
Liber 232, p. 172. .

Conveys:

"All that certain tract or parcel of land situated, lying and being upon Fisher's Island, in the County

of Suffolk and State of New York, and bounded and described as follows, to wit: Beginning at the northwest corner of a lot of land sold Sholes at a point on the south side of Crescent Avenue (272) two hundred and seventy-two feet westerly from the west line of Avenue A; thence south  $16^{\circ}$  west three hundred feet (300) to the north side of Avenue B; thence north  $72^{\circ}$  west with the north side of Avenue B one hundred and eighty-four feet (184); thence north  $16^{\circ}$  east running parallel with the east line of this tract three hundred and seventy-three and one-half feet ( $373\frac{1}{2}$ ) to Crescent Avenue; thence south  $50\frac{1}{2}^{\circ}$  east with the south side of Crescent Avenue two hundred (200) feet to the place of beginning, containing one acre and ( $\frac{6.5}{100}$ ) of land be the same more or less."

Covenants 1 and 2 hereinafter returned.

## 17.

## DEED.

James H. Lyles, Trustee,

to

Mary Ann Green.

Dated 1st Oct., 1877. Recorded Jan. 11th, 1878.  
Liber 232, p. 175.

Conveys:

"All that certain tract or parcel of land situated, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and described and bounded as follows, viz.: Being at the northwest corner of lot sold Edgar A. Smith on the south side of Crescent Avenue; thence south  $16^{\circ}$  west three hundred and seventy-three ( $373\frac{1}{2}$ ) feet to the north side of Avenue B; thence with the north side of Avenue B north  $77\frac{1}{2}$  degrees west ninety-two and one-half ( $92\frac{1}{2}$ ) feet; thence north  $16^{\circ}$  east running parallel with the east line of this tract four hundred and fifteen (415) feet to

Crescent Avenue; thence with the south side of said avenue south  $50\frac{1}{3}^{\circ}$  east one hundred feet (100) to the place of beginning, containing eight hundred and thirty-seven one-thousandths ( $837\frac{1}{1000}$ ) of an acre, be the same more or less."

Covenants 1 and 2 hereinafter returned.

**18**

DEED.

James H. Lyles, Trustee,

*to*

Harvey Chapman.

Dated 1st Oct., 1877. Recorded Jan. 11th, 1878,  
Liber 232, p. 178.

Conveys:

"All that certain tract or parcel of land situated on Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows:

Beginning at the northwest corner of a lot of land sold Mrs. Mary Ann Green on the south side of Crescent Avenue; thence south  $16^{\circ}$  west four hundred and fifteen feet (415) to the north side of Avenue B; thence westerly with the north line of said Avenue B ninety feet (90); thence north  $16^{\circ}$  east (parallel with east line of this tract) four hundred and fifty-five (455) to Crescent Avenue; thence with the south side of said avenue south  $51^{\circ}$  east one hundred feet (100) to the place of beginning, containing nine-tenths ( $\frac{9}{10}$ ) of an acre of land, be the same more or less."

Covenants 1 and 2 hereinafter returned.

**19.**

DEED.

James H. Lyles, Trustee,

*to*

Augustus C. Markham.

Dated 12th October, 1877. Recorded February  
7th, 1878, Liber 232, p. 508.

Conveys :

“All that certain lot, piece or parcel of land situate, lying and being upon Fisher’s Island, in the County of Suffolk and State of New York, and bounded and described as follows : Commencing at a point in the centre of a rock marked by a drill hole, said drill hole being at the southeast corner of said lot and at the intersection of two contemplated streets, said streets bounding said lots on three of its sides, viz., northerly, southerly and westerly, said starting point or drill hole being 30 feet easterly of a stake driven into the ground and 40 feet northerly from a boulder near the surface of the ground ; thence north eighty-three degrees east one hundred and ninety-four feet to its southeast corner ; thence north thirteen and a half degrees west two hundred and thirty-three feet to its northeast corner ; thence south eighty degrees west one hundred and eighty-nine feet to its northwest corner ; thence south twelve and a quarter degrees east two hundred and twenty-one feet to the point of departure, containing one acre of land.”

Covenants 1 and 2 hereinafter returned.

**20.**

DEED.

James H. Lyles, Trustee,

*to*

Courtlandt J. Shepard.

Dated 1st October, 1877. Recorded 16th February, 1878, Liber 232, p. 595.

Conveys :

“All that certain lot, tract or parcel of land situate, lying and being on Fisher’s Island, County of Suffolk and State of New York, and bounded and described as follows, viz.: Beginning at the southeast corner at a point in the north line of Avenue

B and the southwest corner of Harry Chapman's lot; thence north  $16^{\circ}$  east by and with said Chapman's lines (235 ft.) two hundred and thirty-five feet to the southeast corner of Mrs. Julia E. Abeel's lot; thence north  $64\frac{1}{2}^{\circ}$  west with said Mrs. Julia E. Abeel's lot one hundred and ninety-eight (198) feet to its northwest corner; thence south  $16^{\circ}$  west and parallel with the first-mentioned line (199) one hundred and ninety-nine feet to its intersection with Avenue B; thence south  $50\frac{1}{4}^{\circ}$  east and coinciding with the north line of Avenue B one hundred and nine (109) feet to an angle; thence southeasterly and in the line of the street (100) one hundred feet to the point of departure. Said boundary lines enclose one acre."

Covenants 1 and 2 hereinafter returned.

**21.**

DEED.

James H. Lyles, Trustee,

*to*

Elisha W. Sholes and Alonzo W.

Sholes.

Dated 13th August, 1877. Recorded February 16th, 1878, Liber 232, p. 598.

Conveys :

"All that certain tract, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, which is bounded and described as follows : Commencing at the southeasterly corner of the premises hereby conveyed at a point marked by a drill hole in a large, firm rock, and running thence north fourteen and one-quarter degrees east two hundred and forty feet to a new road running by and along the beach at high water mark ; thence north fifty-three and one-half degrees west two hundred and twenty-seven feet ; thence south seventeen degrees west

three hundred feet to a road newly laid out, and thence south sixty nine and three-quarter degrees east two hundred and twenty-seven feet to the place of beginning, containing one and one-third acres or thereabouts."

Covenants 1 and 2 hereinafter returned.

**22.**

## DEED.

James H. Lyles, Trustee,

*to*

Daniel D. Latham.

Dated 12th October, 1877. Recorded February 16th, 1878, Liber 233, p. 1.

Conveys:

"All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows: Commencing at a small rock on the shore visible at ordinary high tide, said rock is in the southeastern corner of said lot, and is thirty-five feet from the nearest surface of a large and high rock easterly therefrom, and also forty-two feet from the nearest surface of a still larger rock lying on the shore at high tide and northwesterly from said point; thence northeasterly by and along the shore of the 'Western Harbor,' so called, one hundred and seventy-two feet to the northerly face of a high rock and sixteen and a half feet from another rock in the same direction still further on; thence south thirty-eight and a half degrees west ninety-eight feet to a point eighteen feet from a large rock lying northerly therefrom. This corner of ninety-eight feet marks the easterly side of an open passage-way about one rod wide leading to the water; thence south eleven degrees west by and along said road or passage-way two hundred and ten feet to a mere stone; thence south thirty-

eight and a half degrees east by and along said street one hundred and nineteen feet to a mere stone; thence north thirty-one and three quarter degrees east three hundred feet to a rock, the point of departure containing one and  $\frac{1}{100}$  acre of land."

Covenants 1 and 2 hereinafter returned.

## 23.

## DEED.

James H. Lyles, Trustee,

*to*

Horatio Bisbee, Jr.

Dated 12th October, 1877. Recorded April 8th, 1878, Liber 233, p. 564.

Conveys:

"All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows, viz.: Beginning at the northwest corner of a lot sold to Dwight Marcy at a stake by the side of a road; thence north fifty-three degrees east with the north line of said Marcy's lot four hundred and twelve feet (412) to a stake by the west side of a proposed road or avenue; thence north sixteen and a half degrees west with the west side of said road or avenue one hundred and fifteen and a half ( $115\frac{1}{2}$ ) feet to the northeast corner of this tract (a stake marked); thence south fifty-three degrees (running parallel with said Marcy's north line) four hundred (400) feet to a stake marked off the east side of the aforesaid road; thence south eleven and one-quarter degrees east with the east line of said road one hundred and nineteen and a half ( $119\frac{1}{2}$ ) feet to the place of beginning, containing one acre, be the same more or less."

Covenants 1 and 2 hereinafter returned.

## 24.

## DEED.

James H. Lyles, Trustee,

*to*

Bathsheba E. Barlow.

Dated 5th March, 1878. Recorded April 8th, 1878,  
Liber 233, p. 571.

Conveys:

“All those two certain tracts or parcels of land situate, lying and being on Fisher’s Island, in the County of Suffolk and State of New York, and which are bounded and described as follows, viz.: The first tract beginning at a point where the southerly boundary line of a tract of land described in and conveyed by said party of the first part to said party of the second part by deed dated June 28th, 1877, strikes the shore of the West Harbor, and running thence easterly along said southerly boundary line to the shore of the pond named in said deed; thence in a southerly direction along the shore of said pond till it meets a line drawn parallel with the first course and distant eighty feet southerly therefrom; thence westerly along said last-mentioned line and parallel with the first course to the shore of West Harbor, and thence northerly along the shore of West Harbor to the point of beginning, the second tract beginning at a point where the northerly boundary line of the tract described in and conveyed by said deed strikes the shore of West Harbor, and running thence easterly along said northerly boundary line to the shore of said pond; thence in a general northerly direction along the shore of said pond till it meets a line drawn parallel with the first course and distant one hundred and fifty feet northerly therefrom; thence westerly along said last-mentioned line and parallel with the first course till it meets the shore of West Harbor; and thence southerly along the shore of West Harbor to the point of beginning, together with all

lands lying under water or beyond high-water mark to the westerly of the above-described premises and lying between the lines aforesaid on a prolongation of the same for the distance of two hundred feet each into the water of said West Harbor, saving, reserving and excepting, however, the road now passing across the aforesaid premises, which is to be and remain a public thoroughfare, anything herein contained to the contrary notwithstanding, subject, however, to the rights and control of the people of the State of New York into and over the portion thereof lying under water as aforesaid.

Covenant 2 hereinafter returned.

See also covenant contained in Liber 229, p. 490, heretofore returned (attached).

**25.**

DEED B. AND S.

James H. Lyles, Trustee,

*to*

Edgar A. Smith.

Dated 27th December, 1877. Recorded 9th May, 1878, in Liber 234, p. 344.

Conveys :

“ Witnesseth, that whereas the said party of the first part, by deed dated September 1st, 1877, and recorded in the office of the Clerk of Suffolk County, in Liber      of Deeds, page      , has heretofore conveyed unto the said party of the second part certain land and premises situated on Fisher’s Island, in the County of Suffolk and State of New York, which said lands and premises front upon the beach of said island; and whereas it is the desire of the said party of the second part to have the sole privilege to use and enjoy the portion of said beach in front of the land so before conveyed; now, therefore, the said party of the first part, for and in consideration of the sum of one dollar to him in hand

paid by the said party of the second part at or before the ensembling and delivery of these presents, the receipt whereof is hereby acknowledged, and in the farther consideration of the faithful performance of the covenants hereinafter contained on the part of the said party of the second part, his heirs and assigns, hath granted, bargained and sold, and by these presents doth grant, bargain, sell and confirm unto the said party of the second part, his heirs and assigns forever, that portion of the beach of said Fisher's Island which lies between high-water mark and the land lately conveyed to the said party of the second part as aforesaid, and the prolongation of the side lines of said land being that portion of said beach directly in front of said land, together with the right to use and enjoy the said portion of said beach and to erect thereon such temporary structures as may be necessary for bathing and boating purposes, but not to erect thereon any permanent building nor to build any wharf other than such as might be necessary for a pleasure boat, and not otherwise."

See covenants contained in deed in Liber 234, p. 350, hereinafter returned.

**26.**

DEED B. AND S.

James H. Lyles, Trustee,

*to*

Mrs. Mary Ann Greene.

Dated 27th December, 1877. Recorded 9th May, 1878, in Liber 234, p. 347.

Conveys :

Witnesseth, that whereas the said party of the first part, by deed dated October 1st, 1877, and recorded in the office of the Clerk of Suffolk County, in Liber of Deeds, page , has heretofore conveyed unto the said party of the second part cer-

tain land and premises situated on Fisher's Island, in the County of Suffolk and State of New York, which said lands and premises front upon the beach of said island; and whereas it is the desire of the said party of the second part to have the sole privilege to use and enjoy the portion of said beach in front of the land so before conveyed; now, therefore, the said party of the first part, for and in consideration of the sum of one dollar to him in hand paid by the said party of the second part at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, and in the further consideration of the faithful performance of the covenants hereinafter contained on the part of the said party of the second part, her heirs and assigns, hath granted, bargained and sold and by these presents doth grant, bargain, sell and confirm unto the said party of the second part, her heirs and assigns forever, that portion of the beach of said Fisher's Island which lies between high-water mark and the land lately conveyed to said party of the second part as aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land, together with the right to use and enjoy the said portion of said beach and to erect thereon such temporary structures as may be necessary for bathing and boating purposes, but not to erect thereon any permanent building, nor to build any wharf other than such as might be necessary for a pleasure boat, and not otherwise.

See covenants contained in deed Liber 234, p. 350, hereinafter returned.

**27.**

DEED B & S.

James H. Lyles, Trustee,

*to*

Harvey Chapman.

Dated 27th Dec., 1877. Recorded 9th May, 1878,  
Liber 234, p. 350.

## Conveys :

“ Witnesseth, that whereas, the said party of the first part, by deed dated October 1st, 1877, and recorded in the office of the Clerk of Suffolk County, in Liber        of Deeds, page       , has heretofore conveyed unto the said party of the second part certain land and premises situated on Fisher’s Island, in the County of Suffolk and State of New York, which said lands and premises front upon the beach of said island, and whereas, it is the desire of the said party of the second part to have the sole privilege to use and enjoy the portion of said beach in front of the land so before conveyed; now, therefore, the said party of the first part, for and in consideration of the sum of one dollar to him in hand paid by the said party of the second part at or before the en sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and in the further consideration of the faithful performance of the covenants hereinafter contained on the part of the said party of the second part, his heirs and assigns, hath granted, bargained and sold and by these presents doth grant, bargain, sell and confirm unto the said party of the second part, his heirs and assigns forever, that portion of the beach of said Fisher’s Island which lies between high-water mark and the land lately conveyed to the said party of the second part as aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land, together with the right to use and enjoy the said portion of said beach and to erect thereon such temporary structures as may be necessary for bathing and boating purposes, but not to erect thereon any permanent building nor to build any wharf other than such as might be necessary for a pleasure boat and not otherwise. To have and to hold the said easement and privilege to the said party of the second part, his heirs and assigns forever, as an appurtenance to the land of the said party of the second part

so conveyed as aforesaid. And the said party of the second part, for and in consideration of the conveyance of the above described easement and privilege, hath covenanted and agreed and by these presents doth for himself, his heirs or assigns, covenant and agree to and with the said party of the first part, his successors or assigns, that he will not use and enjoy the said right of way and privilege in a manner to create a nuisance to the occupants of the adjoining lands nor to permit the landing upon any wharf built by him as hereinbefore provided of passengers from any steam vessel upon which the same shall be carried for gain during the next eight years from date hereof. And it is mutually agreed and understood between the parties to these presents that the breach of any of the covenants herein contained on the part of the said party of the second part, his heirs or assigns, shall cause the forfeiture of the easement and privilege hereby conveyed."

**28.**

DEED B & S.

James H. Lyles, Trustee,

*to*

Thomas R. Darrow and Harmon T. Darrow.

Dated 1st May, 1877. Recorded 6th June, 1878,  
Liber 234, p. 569.

Conveys:

"All that certain tract of land situate upon said Fisher's Island, in said County of Suffolk and State of New York, which is bounded and described as follows: Commencing at a point at the southwest corner of premises heretofore conveyed by said party of the first part to said party of the second part, which corner is near the barn standing on said premises formerly conveyed, and running thence along the wall now standing south sixteen and one-quarter degrees ( $16\frac{1}{4}^{\circ}$ ) west eighty-seven (87) feet;

thence still along said wall south two and one-half degrees ( $2\frac{1}{2}^\circ$ ) west one hundred and fifty-seven (157) feet; thence still along said wall south nineteen and one-quarter degrees ( $19\frac{1}{4}^\circ$ ) west fifty-eight (58) feet; and thence north seventy-two and one-quarter degrees ( $72\frac{1}{4}^\circ$ ) east five hundred and twenty (520) feet to the fence and boundary of said premises formerly conveyed to said parties of the second part, and thence following the line of the last named premises to the aforesaid point and place of beginning, containing one and six-tenths ( $1\frac{6}{10}$ ) acres of land, more or less."

Covenants 1 and 2 hereinafter returned.

**29.**

DEED, B. & S.

James H. Lyles, Trustee,

*to*

Elish. W. Sholes and Alonzo  
W. Sholes.

Dated 13th August, 1877. Recorded 10th June, 1878, Liber 235, p. 1.

Conveys :

"That portion of the beach of said Fisher's Island which lies between high-water mark and the land lately conveyed to said party of the second part as aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land, together with the right to use and enjoy the said portion of said beach, and to erect thereon such temporary structures as may be necessary for bathing and boating purposes, but not to erect thereon any permanent building nor to build any wharf other than such as might be necessary for a pleasure boat and not otherwise."

See covenants contained in deed, Lib. 234, p. 350, heretofore returned.

**30.**

DEED.

James H. Lyles, Trustee,

*to*

Mrs. Julia E. Abeel.

Dated 1st October, 1877. Recorded 10th June, 1878, Liber 235, p. 3.

Conveys:

“All that certain lot, tract or parcel of land situate, lying and being on Fisher’s Island, in the County of Suffolk and State of New York, and bounded and described as follows, viz.: Beginning at the northwest corner of a lot sold to Harvey Chapman and on the south side of Crescent Avenue; thence south  $16^{\circ}$  west with said Chapman’s line to a point two hundred and twenty (220) feet from the starting point; thence north  $64\frac{1}{2}^{\circ}$  west and parallel with Crescent Avenue on the front of said lot one hundred and ninety-eight (198) feet to the southwest corner of said lot; thence north  $16^{\circ}$  east and parallel with the first mentioned side two hundred and twenty (220) feet to a point at the intersection with the south line of Crescent Avenue; thence south  $64\frac{1}{2}^{\circ}$  east and parallel with its opposite and southern boundary line one hundred and ninety-eight (198) feet to the point of departure and coinciding with the south line of Crescent Avenue. The above boundary lines enclose one acre.”

Covenants 1 and 2 hereinafter returned.

**31.**

DEED, B. &amp; S.

James H. Lyles, Trustee,

*to*

Mrs. Julia E. Abeel.

Dated 1st February, 1878. Recorded 10th June, 1878, Liber 235, p. 5.

Conveys:

“That portion of the beach of said Fisher’s Island which lies between high-water mark and the land lately conveyed to said party of the second part aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land, together with the right to use and enjoy the said portion of said beach, and to erect thereon such temporary structures as may be necessary for bathing and boating purposes, but not to erect thereon any permanent building, nor to build any wharf other than such as might be necessary for a pleasure boat and not otherwise.”

See covenants contained in deed, Lib. 234, p. 350, heretofore returned.

**32.**

DEED B. and S.

James H. Lyles, Trustee,

*to*

Courtlandt I. Shepard.

Dated 1st of November, 1877. Recorded June 10th, 1878, in Liber 235, page 7.

Conveys:

“All that certain lot, tract or parcel of land situate and lying on Fisher’s Island, in the County of Suffolk and State of New York, and bounded and described as follows, viz.: Beginning on the north-west corner of a second lot sold and described in a deed from the grantor to C. I. Shepard; thence south  $16^{\circ}$  west with said Shepard’s lot four hundred and twenty (420) feet to the north side of Avenue B; thence south  $73\frac{1}{2}^{\circ}$  west with said Avenue B fifty-seven and one-half ( $57\frac{1}{2}$ ) feet; thence north  $3\frac{1}{2}^{\circ}$  east four hundred and forty-two (442) feet to the south side of Crescent Avenue; thence south  $72^{\circ}$  east with the south side of said Crescent Avenue one hundred and fifty (150) feet to the place of be-

ginning, containing one acre of land, be the same more or less."

Covenants 1 and 2 hereinafter returned.

**33.**

## DEED.

James H. Lyles, Trustee,

*to*

Courtlandt I. Shepard.

Dated 1st of November, 1877. Recorded June 10th, 1878, in Liber 235, page 10.

Conveys:

"That portion of the beach of said Fisher's Island, which lies between high-water mark and the land lately conveyed to said party of the second part as aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land, together with the right to use and enjoy the said portion of said beach and to erect thereon such temporary structures as may be necessary for bathing and boating purposes, but not to erect thereon any permanent building nor to build any wharf other than such as might be necessary for a pleasure boat and not otherwise."

See covenants contained in deed, Liber 234, page 350, heretofore returned.

**34.**

## DEED B. and S.

James H. Lyles, Trustee,

*to*

Charles L. Richards, James M.  
Meech and Henry L. Parker.

Dated 4th of November, 1878. Recorded 11th of November, 1878, in Liber 237, page 251.

Conveys :

“All that certain island known as Goose Island, situated in Great or West Harbor of Fisher’s Island.”

Covenants 1 and 2 hereinafter returned.

MORTGAGE.

James H. Lyles, Trustee,

*to*

Florence M. Murdock.

Dated 21st of May, 1877. Recorded October 15th, 1877, in Liber 133, page 313, to secure \$1,000.

Affects :

“All that certain island lying and being in the County of Suffolk and State of New York, called Fisher’s Island, and the several small islands contiguous thereto, called the Hammocks or Hammocks, saving, excepting and reserving nevertheless thereout and therefrom, firstly, each and every part and parcel and portion thereof which has been heretofore conveyed by the said party of the first part, as such trustee as aforesaid, by absolute deed in fee simple to any person or persons whatsoever, and in like manner saving, excepting and reserving thereout and therefrom, secondly, the following described premises, viz. : All that portion of said Fisher’s Island lying and embraced between the two following described lines as distinguished from the remaining portions of the said island lying beyond and outside of the said lines, the first of said lines, being the northeasterly boundary of the said premises, is described as follows : Commencing at the easterly shore of said island at a point marked by a drill hole in a high rock which is distant eighty feet from another rock near the bank and distant fifty-seven feet from another large rock lying southerly therefrom, the two rocks last mentioned being distant from each other sixty-four

feet and lying together with the first mentioned rock about three hundred to five hundred feet southerly from a stone fence or wall which is laid down on the map or chart of said Fisher's Island, and from said point of beginning running in a direction north thirty-seven and three-quarter degrees ( $37\frac{3}{4}^{\circ}$ ) west one thousand six hundred and fifty (1,650) feet to the edge of woods at the southerly side of the meadow belonging to the White House, and thence continuing in the same direction the further distance of one thousand and fifty (1,050) feet through the woods to a point on the shore of the West Harbor; the second of said lines, being the southwesterly boundary of the said premises, is described as follows: Commencing at a point on the west bank of the fresh water ice pond at the intersection with the road leading from the Durfey Meadow to the South Meadow, from which point Montauk Light bears south twenty-four and one-quarter degrees ( $24\frac{1}{4}^{\circ}$ ) east, the new Race Point Light bears south seventy-two and one-quarter degrees ( $72\frac{1}{4}^{\circ}$ ) west, the centre of the United States Wrecking Station bears south eighty-one and three-quarter degrees ( $81\frac{3}{4}^{\circ}$ ) west, and the centre of the gateway opening into Durfey Grass Meadow bears north seventy and one-half degrees ( $70\frac{1}{2}^{\circ}$ ) east, and is sixteen hundred and forty-two feet (1,642) distant, and from said point of beginning running in a direction north forty-eight and three-quarter degrees ( $48\frac{3}{4}^{\circ}$ ) west three thousand three hundred and seventeen (3,317) to a point at the eastern bank of Silver Lake, which is marked by a peg or stake driven into the ground, and is twenty-five (25) feet distant from a loose rock lying northerly therefrom, and twenty-one (21) feet and six (6) inches from another loose rock lying easterly therefrom, the said lines being continued at each extremity in the line of the same direction as aforesaid, until it reaches the salt water upon the edge of the shore. And in like manner saving and excepting and reserving

thereout and therefrom, thirdly, the following described premises, viz.: Beginning at a point upon the shore of said island upon the easterly side of the West or Great Harbor, which point is designated by a mark upon a high rock at the termination of a fence now standing at high water mark upon the shore aforesaid, and thence running south thirty-four degrees ( $34^\circ$ ) east and part of the way through a swamp one thousand five hundred and forty-eight (1,548) feet to a rock on the northerly side of Eastern Point Road, which rock lies four (4) feet distant in a westerly direction from another rock; thence north forty-nine and one-quarter degrees ( $49\frac{1}{4}^\circ$ ) east by and along said Eastern Point Road one thousand three hundred and sixty (1,360) feet to a point marked by a stake driven into the ground; thence north fifty-six and one-quarter degrees ( $56\frac{1}{4}^\circ$ ) east three hundred and forty (340) feet to a drill hole in a low permanent rock; thence north thirty-three and one-half degrees ( $33\frac{1}{2}^\circ$ ) west and in a direct line with the direction of the light upon the North Hammock from the point last mentioned one thousand and forty (1,040) feet to a high water mark upon the said easterly shore of said West or Great Harbor; and thence in a general southwesterly direction following the variations and curvatures of the said shore about one thousand eight hundred (1,800) feet to the point or place of beginning, containing forty-nine and one-half ( $49\frac{1}{2}$ ) acres more or less. But including, nevertheless, in the premises hereby conveyed, anything hereinbefore contained to the contrary notwithstanding, the main buildings now standing upon the premises secondly hereinbefore reserved and excepted; and also the tract known as the Durfey Grass Meadow, comprising about forty and one-half ( $40\frac{1}{2}$ ) acres, described as follows: Beginning at the gate at the southwesterly corner of said meadow near the Pump House, at a point lying sixteen hundred and forty-two (1,642) feet distant from the above-described point of beginning of the

second or southwesterly line aforesaid, and lying in a direction north seventy and one-half degrees ( $70\frac{1}{2}^\circ$ ) therefrom, and from said point of said gate running first by and along the fence south thirty and three-quarters degrees ( $30\frac{3}{4}^\circ$ ) east one hundred and fifty-four (154) feet; thence south eighty-one and one-half degrees ( $81\frac{1}{2}^\circ$ ) east by tide water one thousand and forty-six (1,046) feet; thence north twenty and one-quarter degrees ( $20\frac{1}{4}^\circ$ ) east two hundred and eighty-four (284) feet; thence north twenty-eight and one-half degrees ( $28\frac{1}{2}^\circ$ ) east three hundred and forty-five (345) feet to the road; thence along the road north sixty-one and three-quarter degrees ( $61\frac{3}{4}^\circ$ ) west two hundred and twenty-eight (228) feet; thence still along the road north thirty-six and one-half degrees ( $36\frac{1}{2}^\circ$ ) west one thousand one hundred and thirty-one (1,131) feet; thence south fifty six and one-quarter degrees ( $56\frac{1}{4}^\circ$ ) west four hundred and ninety-four feet; thence north thirty-four degrees (34) west two hundred and seventeen (217) feet; thence north seventy-eight and three-quarter degrees ( $78\frac{3}{4}^\circ$ ) west three hundred and fifty (350) feet; thence south seventy-nine and one-half degrees ( $79\frac{1}{2}^\circ$ ) west one hundred (100) feet; thence south sixteen degrees ( $16^\circ$ ) east nine hundred and seventy-five (975) feet, and thence south thirty and three-quarter degrees ( $30\frac{3}{4}^\circ$ ) east three hundred and seventy-five (375) feet to the point of beginning, to the intent that said main buildings and said Durfey Grass Meadow shall not be taken or deemed to be in any way embraced or included in the portions of said island saved, excepted and reserved as aforesaid from the operation of this conveyance, but that the same shall pass hereby with like effect as if no such exceptions or reservations were contained herein. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues

and profits thereof. And all the estate, right, title and interest, property possession, claim and demand whatsoever as well in law as in equity of the said party of the first part of, in or to the above described and hereby granted premises, with the appurtenances, unto the said party of the second part and to her heirs and assigns forever, to and for her and their sole and separate use, benefit and behoof, provided always, and these presents are upon the express condition, that if the said party of the first part or his successors shall well and truly pay or cause to be paid unto the said party of the second part, her executors, administrators or assigns, the just and full sum of one thousand dollars on or before the first day of April, in the year one thousand eight hundred and eighty-one, that then these presents and the estate hereby granted shall cease, determine and be void. And provided that nothing herein contained shall be construed as creating a personal liability on the part of said party hereto of the first part, his heirs, executors or administrators, to pay the said sum of money herein mentioned or any part thereof, it being the intent of these presents that the property hereby mortgaged shall alone be liable for the amount above named."

RELEASE.

Joseph S. Fay, Eliza D. Fox, Elizabeth A. Hood, Harriet F. Lyles  
and Florence E. Murdock

*to*

John A. Bowen, George S. Towne,  
Ashbel W. Fitch and Robert H.  
Sherman.

Dated 1st October, 1878. Recorded Jan'y. 30th, 1879, Liber 238 of Deeds, p. 389.

Releases the premises hereinafter described from four certain mortgages all dated March 30th, 1876,

made and executed by James H. Lyles and Harriet F., his wife, the first to Joseph S. Fay, the second to Eliza D. Fox, the third to Elizabeth A. Hood and the fourth to Henry H. Parker, who did thereafter by written assignment duly assign the last mentioned Indenture to said Harriet F. Lyles.

Also from one other mortgage dated the 21st May, 1877, made and executed by James H. Lyles, trustee, &c., to Florence E. Murdock.

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, being situated on the east shore of Great Harbor on said island several hundred feet northerly of the ice house and bounded and described as follows, namely: Beginning at the northerly corner thereof at a point indicated by a drill hole in a rock on the bank at high water mark and sixty (60) feet southeasterly from a large boulder left high and dry at low water and always projecting above high water by three or four feet; thence at right angles with the bend of the shore and by the magnetic needle south  $76\frac{3}{4}^{\circ}$  east two hundred and nine (209) feet to a stake driven into the ground; thence at right angles to the last line and by compass south  $13\frac{1}{4}^{\circ}$  west two hundred and nine feet to a stake driven into the ground; thence at right angles to the last line and parallel to the first line and by compass north  $76\frac{3}{4}^{\circ}$  west two hundred and nine (209) feet to a drill hole in a small rock on the bank at high water mark; thence by and along the shore as it runs two hundred and nine (209) feet more or less to the point or place of beginning, said lot containing one acre, be the same more or less, and being more fully shown and described on a map entitled, "Map of Messrs. Bowen & Co., Norwich," mapped and surveyed by E. B. Jennings, City Surveyor, New London, 1878, and filed in the office of the Clerk of Suffolk County.

35.

DEED. B. &amp; S.

James H. Lyles, Trustee, &amp;c.,

*to*John A. Bowen, George S. Towne,  
Ashbel W. Fitch and Robert H.  
Sherman.Dated 19th October, 1878. Recorded Jany. 30th,  
1879, Liber 238, p. 394.

Conveys :

The premises described in the release last above returned. Said deed contains the following covenants and conditions: And it is hereby covenanted and agreed by the parties of the second part, for themselves, their heirs and assigns, and this conveyance is made upon the express condition that all such fencing as shall be desired or required for the proper enclosure of the premises hereby conveyed shall be done by the parties of the second part, their heirs or assigns, and no part of the expense thereof shall be chargeable to or borne by said party of the first part. And the said parties of the second part, for and in consideration of the conveyance of the above mentioned and described lands and premises made by these presents, have covenanted and agreed and by these presents do for themselves, their heirs and assigns, owning or having at any future time any estate, right, title or interest of, in and to the above described lands and premises, or any part thereof, covenant and agree to and with the said party of the first part, his successors and assigns, that there shall not be erected or allowed to be erected or carried on on the premises hereby conveyed, or on any of the same, any brewery, distillery, slaughter house, or soap, candle, oil, starch, varnish, vitriol, glue, ink or turpentine factory, or any factory for tanning, dressing or preparing skins, hides or leather, or any sugar, bakery or any other dan-

gerous, noxious or offensive establishment or business whatever, and that no part of the land hereby conveyed shall be used or occupied for any such purpose or purposes, and that the covenants and agreements herein contained on the part of the said parties of the second part, their heirs and assigns, shall run with the land and shall be obligatory upon every person and persons, corporation and corporations owning the same or having any estate, right, title or interest therein that would enable them or any of them or either of them to violate any of the said covenants and agreements.

**36.**

DEED, Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

William A. Hedge.

Dated October 1st, 1878. Recorded March 18th, 1879, Liber 239, p. 367.

## Conveys :

All those certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which are known and described as lots number one (1), two (2) and three (3) of Section six (6), upon a certain map entitled "Map of Lots on Fisher's Island," embracing the highland range between the Great Harbor and the Atlantic shore, filed in the office of the clerk of the said County of Suffolk on the 23d day of September, 1878, and numbered 339 in said office.

Contains covenants numbered 1 and 2 in deed, recorded in Liber 238, p. 394, above returned.

37.

DEED, Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Martha E. Hoffart.

Dated 13th August, 1877. Recorded April 3d,  
1879, Liber 239, p. 591.

Conveys:

All that certain tract, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, which is bounded and described as follows: Commencing at a point in the stone wall upon the northeasterly side of the premises hereby conveyed, which point is marked by a drill hole in a large rock in said wall, and distant fifty feet and thirty-eight feet respectively from drill holes in two other rocks, which last mentioned rocks are sixty-four feet apart from one another, and running thence north thirty-three degrees west one hundred and four feet; thence south fifty and one-half degrees west one hundred and eighty-one and one-half feet; thence south thirty-seven and one-quarter degrees east two hundred and forty-one feet; thence north fifty and one-half degrees east one hundred and eighty-one and one-half feet to the stone wall aforesaid, and thence north forty-four degrees west one hundred and thirty-six feet along the same to the place of beginning, containing one acre or thereabouts.

Covenants 1 and 2 above returned.

38.

DEED, Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Martha E. Hoffart.

Dated 12th October, 1877. Recorded 3d April,  
1879, Liber 239, p. 594.

## Conveys :

All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows : Commencing at its northeast corner at a mere stone in the southeast corner of the one acre lot recently sold to the said Hoffart ; thence southwesterly in the direction of the prolongation of the easterly side of the said one acre lot and by course of compass south fifty and one-half degrees west three hundred and twenty-four feet to its southeastern corner to a point on the northerly side of a contemplated road or street, said point being 41 feet from the mere stone marking the northwestern corner of Thomas Allen's land and the northeastern corner of Mr. Marcy's land at their intersection or conjunction, a line connecting the mere stone with the southeast corner of the lot being described is by course of compass south  $36\frac{1}{2}$  degrees west and by the vernier 14 degrees 10 minutes ; thence north thirty-six and a half degrees west two hundred and forty-one feet to its southwest corner ; thence north fifty and a half degrees east and in a line parallel to the first described line three hundred and twenty-four feet to its northwest corner and intersecting other lands of the said Hoffart ; thence south thirty-seven and a quarter degrees east two hundred and forty-one feet to the starting point, containing two acres of land.

Covenants 1 and 2 above referred.

39.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Harriet A. Lyles.

Dated 10th April, 1879. Recorded 12th April, 1879, in Liber 240, p. 107.

Conveys :

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which is situated and lies between Oriental and Crescent Avenues and Equestrian Avenue and Athol Crescent containing three (3) acres, be the same more or less, and which is known and described on a certain map entitled "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic Shore," filed in the office of the Clerk of said County of Suffolk, on the twenty-third day of September, eighteen hundred and seventy-eight, and numbered three hundred and thirty-nine (339) in said office.

Covenants 1 and 2 above referred to.

**40.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Fannie B. Chipman.

Dated 10th April, 1879. Recorded 12th April, 1879, in Liber 240, p. 109.

Conveys :

All those certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which are known and described as lots numbers five (5) and six (6) of section fourteen (14) upon a certain map entitled "Map of lots on Fisher's Island, embracing the Highland Range between Great Harbor and the Atlantic Shore," filed in the office of the Clerk of the said County of Suffolk, on the twenty-third day of September, eighteen hundred and seventy-eight, and numbered three hundred and thirty-nine (339) in said office.

Covenants 1 and 2 above referred to.

41.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Maria D. Fay.

Dated 26th October, 1876. Recorded 23d September, 1879, in Liber 243, p. 56.

Conveys :

All that certain tract of land situate upon Fishers's Island, in the County of Suffolk and State of New York, which is bounded and described as follows : Commencing at a point in the centre of the Serpentine Road leading to Little Hay Harbor, which is distant twenty-five feet in an easterly direction from an iron bolt driven into a rock and distant 20 feet from another iron bolt driven into another rock, said iron bolts being distant forty-one feet from each other, and the said point of beginning being now marked by a stake driven into the ground at the centre of Desbrosses Street so called; and running thence north  $14\frac{3}{4}$  degrees west five hundred and fifteen feet; thence south 61 degrees west two hundred and forty-seven feet to a point in the bluff and two hundred feet further in the same direction to the shore of Little Hay Harbor; thence by and along with said shore to a point in the south wall at the contact of the same with the water; thence by and along with the said wall south  $75\frac{1}{2}$  degrees east three hundred and eighty-eight feet; thence north thirteen degrees east five hundred and six feet; thence north 47 degrees west one hundred and thirty feet to a stake in the eastern side of said Desbrosses Street at a point distant twenty-six feet from the bolt in the more southerly rock and fifty-five feet from the bolt of the more westerly rock hereinbefore mentioned; and thence thirty feet to the aforesaid point or place of beginning.

Covenants 1 and 2 above referred to.

## RELEASE.

Joseph S. Fay, Eliza D. Fox, Elizabeth A. Hood, Harriet F. Lyles,

*to*

Maria D. Fay.

Dated 26th October, 1876. Recorded 23d September, 1879, Liber 243, p. 60.

Releases premises described in Deed, Liber 243, p. 56, from four mortgages, all dated 30th March, 1876, and made and executed by James H. Lyles and Harriett F., his wife, the first to Joseph S. Fay, the second to Eliza D. Fox, the third to Elizabeth A. Hood, and the fourth to Henry H. Parker, who did thereafter, by written assignment, duly assign the last mentioned indenture to the said Harriet F. Lyles.

**42.**

## DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

James S. Casey and John Reynolds.

Dated 12th October, 1877. Recorded 25th September, 1879, Liber 243, p. 126.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows: Commencing at its southwest corner at a point which marks the southeast corner of "Twin Hill Lot," sold to Col. W. H. Heiss, thence with the prolongation of the southerly line of the said Twin Hill Lot and by the same course of the needle, viz., south sixty-eight degrees east one hundred and two feet to a stake or mere stone; thence north sixty-eight and a half

degrees east eighty-three feet to a mere stone; thence easterly and parallel with the easterly side of said Twin Hill Lot and by course of compass north six degrees east three hundred and sixty-four feet to a point in the south line of a contemplated street running nearly at right angles with the line now described; thence northerly along the southerly line of said contemplated street and by course of compass north eighty-three degrees west one hundred and seventy-three feet to the easterly line of the Twin Hill Lot; thence by and along the easterly line of the Twin Hill Lot and parallel to the easterly line of the lot now being described and by course of compass south six degrees west three hundred and eighty-one feet to the starting point, containing one and fifty-four one-hundredths ( $1\frac{54}{100}$ ) of an acre of land.

Covenants 1 and 2 above referred to.

**43.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

to

George H. Bartlett.

Dated 25th September, 1878. Recorded 28th February, 1880, Liber 246, p. 318.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows, viz.: Commencing at a stake or point on the shore at high-water mark at the northwest corner of the lot, said stake or point being one hundred and three feet southerly from a large rock, the apex of which marks the southwestern corner of lot in possession of Eugene Leaheys; thence south fifteen and a half ( $15\frac{1}{2}$ ) degrees east one hundred and thirty-five feet to a

stake in the west line of Equestrian Avenue and two hundred and seventeen and a half ( $217\frac{1}{2}$ ) feet southerly from the southeast corner of said Lealeys, lot; thence by and along the westerly line of Equestrian Avenue and by course of compass south sixty-one (61) degrees west one hundred and fifty-six feet to its southeast corner at a stake; thence north fifteen and a half ( $15\frac{1}{2}$ ) degrees west one hundred and eighty feet to a stake in the bluff or bank of Little Hay Harbor; thence by and along the shore northerly one hundred and fifty-six feet to the starting point, containing  $\frac{6.1}{100}$  of an acre, more or less.

Covenants 1 and 2 above referred to,

**44.**

## DEED Q. C.

James H. Lyles, Trustee, &c,

to

George H. Bartlett.

Dated 5th July, 1879. Recorded 28th Feby., 1880, Liber 246, p. 322.

Conveys :

All that certain lot, piece or parcel of land lying and being upon Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows, viz.: Commencing at the fence in the southwest corner of the parcel of land situate upon Equestrian Avenue as sold and conveyed to the said George H. Bartlett under deed dated September twenty-fifth, eighteen hundred and seventy eight; thence in a southwesterly direction along said avenue six hundred and fifty-six feet on a line eighteen feet from the centre of Equestrian Avenue as now built to a mere stone, same forming the southwest corner of this lot; thence north sixty degrees west two hundred and seventy-seven feet to a mere stone, on the shore of Little

Hay Harbor; thence following the shore of Little Hay Harbor to the westerly corner of the lot heretofore conveyed to said George H. Bartlett, containing eight acres of land, be the same more or less.

Covenants and above referred to.

45.

DEED Q. C.

James H. Lyles, Trustee, &c.,

to

George W. Darrow.

Dated 29th May, 1880. Recorded 5th June, 1880, Liber 248, p. 295.

Conveys:

All that piece, parcel and tract of land situated on Fisher's Island in the County of Suffolk and State of New York, bounded and described as follows: Beginning at a point formed by the intersection of the wall fences, at the southwest corner of Thomas R. Darrow's land; running thence along said Darrow's land north  $72\frac{1}{2}$  degrees east 492 feet; thence along a lane, south 23 degrees east 152 feet; thence south  $72\frac{1}{4}$  degrees west 569 feet; thence north 54 degrees west 74 feet to a wall; thence along said wall north 30 degrees east 150 feet to the point or place of beginning, said tract being known as meadow land, and containing two acres more or less. And also all that certain piece, parcel and tract of land situated on said Fisher's Island bounded and described as follows, viz.: Beginning at a point formed by the intersection of the wall fences at the southwest corner of Thomas R. Darrow's land; running thence north  $9\frac{1}{2}$  degrees east 310 feet to a barnway; thence north  $19\frac{1}{2}$  degrees east 197 feet to a stake driven into the ground; thence north  $15\frac{1}{2}$  degrees west 267 feet; thence south  $42\frac{1}{4}$  degrees west 531 feet to an angle; thence south  $17\frac{1}{2}$  degrees east 420 feet to an angle; thence south

54 degrees east 135 feet to a wall; thence along said wall north 30 degrees east 150 feet to the point or place of beginning, said tract being known as pasture land and containing four and six-tenths acres, more or less; and also all that certain piece, parcel and tract of land situate on said Fisher's Island bounded and described as follows: Commencing at its southeast corner at an angle in the westerly side of said T. R. Darrow's land and running northeasterly by said wall of said Darrow 106 feet to an angle and by course of compass N.  $32\frac{1}{2}^{\circ}$  east; thence north  $43^{\circ}$  east by and along said wall 221 feet to a rock or high-water mark; thence by the water northerly 50 feet; thence south  $75\frac{1}{2}^{\circ}$  west 284 feet to its north corner; thence south  $15\frac{1}{2}^{\circ}$  east by and along before described land 267 feet to point of beginning, containing one and one-tenth acres."

Covenants 1 and 2 above referred to.

**46.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Dwight Marcy and E. Stevens  
Henry.

Dated 12th of October, 1877. Recorded 10th of July, 1880, Liber 249, p. 40.

Conveys:

"All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, and bounded and described as follows: Commencing at its southeast corner at a mere stone in the southwest corner of a lot of land recently sold to Charlotte Augusta Allen and on the northerly side of a street or highway leading to the south shore and also to Eastern Point; thence at right angles to the north line of the street by and along the west-

erly side and contiguous to the lot of the said Charlotte Augusta Allen and by course of compass north fifty-three and a half degrees east four hundred and seventeen feet and five inches to a mere stone marking the northwest corner of said Charlotte Augusta Allen's lot; thence at right angles to the lines described and by course of compass north thirty-six and a half degrees west by and along the southerly side of contemplated street two hundred and ten feet to a stake; thence at right angles to said line and by course of compass south fifty-three and a half degrees west and parallel to the opposite line above described four hundred and ten feet to the northerly line of said road to Eastern Point; thence easterly by and along the line of said street two hundred and ten feet to a mere stone, being the point of beginning, containing two acres of land."

Covenants 1 and 2 above referred to.

**47.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Emma G. Barlow.

Dated 14th of August, 1880. Recorded October 6th, 1880, in Liber 250, page 422.

Conveys :

"All that certain lot, piece, parcel or tract of land with the buildings thereon situate, lying and being on Fisher's Island, County of Suffolk and State of New York, bounded and described as follows, viz. : Beginning at a mere stone at the northwest corner of the premises hereby conveyed near the cove, and running thence southwesterly along and by the cove and south thirty-three and one-half degrees west one hundred and seventy feet to a point; thence south thirty-six and one-half degrees east eighty feet to a point in a pond of water; thence

north fifty-eight and one-half degrees east one hundred and fifty feet to a point; thence north thirty-five and one-half degrees west one hundred and fifty-six feet to the point or place of beginning. The said parcel containing  $\frac{4.18}{1000}$  of an acre more or less."

Covenants 1 and 2 above referred to.

## 48.

## AGREEMENT.

James H. Lyles, Trustee, &c.,

*with*

George H. Bartlett.

Dated 10th Sept., 1880. Recorded 8th Oct., 1880,  
Liber 250, p. 507.

Witnesseth: Whereas, the party of the first part, by a certain deed, bearing even date herewith, has sold and conveyed to the party of the second part certain premises therein described, together with one hundred feet of the sand and gravel breakwater lying next adjacent to the northeast extremity of the said premises; and whereas, it was understood and agreed by and between the parties thereto and as a part of the consideration for said conveyance that the remainder of said breakwater (not conveyed by said deed) extending in a northeasterly direction and forming the northwesterly edge or side of "Little Hay Harbor," should be held and enjoyed by the parties hereto as tenants in common, each of one undivided half-part thereof and should be kept and maintained in its present condition, and without buildings, sheds, fences or erections of any kind whatsoever; now, therefore, in consideration of the premises and the sum of one dollar to the party of the first part in hand paid by the party of the second part, the party of the first part has bargained and sold and conveyed, and by these presents does bargain, sell and convey to the

party of the second part one undivided half-part of the above described premises, to have and to hold the same to the said party of the second part, his heirs and assigns forever. And it is further covenanted and agreed by and between the parties hereto, their successors, heirs or assigns, that they will not impair said breakwater in any manner by removing the same or any part thereof, or remove any of the sand, gravel or stones thereupon, and will not erect thereon any buildings, sheds, fences, wharfs or erections of any description whatever. And it is further agreed and understood that this agreement and the covenants therein contained shall be deemed and held to be covenants running with the land, and shall be binding thereon, and upon the successors, heirs and assigns of the parties hereto.

**49.**

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

George H. Bartlett.

Dated 10th Sept., 1880. Recorded 8th Oct., 1880,  
Liber 250, p. 503.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows: Beginning at a point at the centre of a large brown colored boulder on the west side of Little Hay Harbor, running thence westerly and by course of needle north eighty-six degrees west three hundred and eight feet to the easterly side of Silver Lake Avenue, and thirty-three feet additional (being the width of said avenue to its southwest corner; thence north twenty-six and a half degrees west four hundred and ninety feet to a rock

embedded in the land at high-water mark on The Long Island Sound shore (said rock being thirty-six feet north-easterly from a rock called the Crow's Rock); thence by and along the shore one hundred and forty-three feet to a rock; thence by and along the shore three hundred and twenty feet; thence by and along the shore one hundred and sixty-one feet to a stake driven into the ground at high-water mark on the sand and gravel breakwater dividing and separating the two shores of Long Island Sound and Little Hay Harbor; thence southerly by and along the westerly shore of Little Hay Harbor six hundred and fifty-eight feet to the point or place of beginning (at 270 feet it intersects the north side of Silver Lake Avenue; at 303 feet it intersects the south side of said avenue; at 658 feet it intersects the point of beginning), containing six and eighteen one-hundredths acres, more or less, exclusive of Silver Lake Avenue. Also one hundred feet of the sand and gravel breakwater lying next adjacent to the north east extremity of the premises above described.

Covenants 1 and 2 above referred to.

RELEASE.

Elizabeth A. Hood by Jas. H. Lyles,  
Attorney,

*to*

James H. Lyles, Trustee, &c.

Dated 10th May, 1877. Recorded 28th March, 1881, Liber of Deeds 253, p. 541.

Releases the following premises from the mortgage recorded in Liber 127 of Morts., p. 371, and above returned.

All that portion of the island known as Fisher's Island, in said County of Suffolk and State of New York, lying and embraced between the two following described lines as distinguished from the remaining

portions of said island, lying beyond and outside of the said lines. The first of said lines being the northeasterly boundary of the premises hereby granted and released is described as follows: Commencing on the easterly shore of said island at a point marked by a drill-hole in a high rock, which is distant eighty feet from another rock near the bank and distant fifty-seven feet from another large rock lying southerly therefrom, the two rocks last mentioned being distant from each other sixty-four feet and lying together with the first mentioned rock about three hundred to five hundred feet southerly from a stone fence or wall, which is laid down on the map or chart of said Fishers' Island, and from said point of beginning, running in a direction north thirty-seven and three-quarter ( $37\frac{3}{4}^{\circ}$ ) degrees west one thousand six hundred and fifty (1,650) feet to the edge of woods at the southerly side of the meadow belonging to the White House, and thence continuing in the same direction the further distance of one thousand and fifty (1,050) feet through the woods to a point on the shore of the West Harbor.

The second of said lines being the southwesterly boundary of the premises hereby granted and released is described as follows: Commencing at a point on the west bank of the fresh water ice pond at its intersection with the road leading from the Durfey Meadow to the South Meadow, from which point Montauk Light bears south twenty-four and one-quarter degrees ( $24\frac{1}{4}^{\circ}$ ) east; the new Race Point Light bears south seventy-two and one-quarter degrees ( $72\frac{1}{4}^{\circ}$ ) west; the centre of the United States Wrecking Station bears south eighty-one and three-quarter degrees ( $81\frac{3}{4}^{\circ}$ ) west; and the centre of the gateway opening into Durfey Grass Meadow bears north seventy and one-half degrees ( $70\frac{1}{2}^{\circ}$ ) east and is sixteen hundred and forty-two (1642) feet distant and from said point of beginning running in a direction north forty-eight and three-quarter

degrees ( $48\frac{3}{4}$ ) west three thousand three hundred and seventeen (3,317) feet to a point at the eastern bank of Silver Lake which is marked by a peg or stake driven into the ground and is twenty-five (25) feet distant from a loose rock lying northerly therefrom and twenty-one (21) feet and six (6) inches from another loose rock lying easterly therefrom, the said line being continued at each extremity in the line of the same direction as aforesaid until it reaches the salt water upon the edge of the shore. Saving and excepting and reserving, nevertheless, out of the said premises so as aforesaid lying between the two lines aforesaid the main buildings now standing upon the said premises and the tract known as the Durfey Grass Meadow, which tract comprises about forty and one-half acres ( $40\frac{1}{2}$ ) and is described and bounded as follows: Commencing at the gate at the southwesterly corner of said meadow near the pump-house at a point lying sixteen hundred and forty-two (1,642) feet distant from the above described point of beginning of the second or southwesterly line aforesaid, and lying in a direction north seventy and one-half degrees ( $70\frac{1}{2}^{\circ}$ ) therefrom, and from said point at said gate, running first by and along the fence south thirty and three-quarter degrees ( $30\frac{3}{4}^{\circ}$ ) east one hundred and fifty-four (154) feet; thence south eighty-one and one-half degrees ( $81\frac{1}{2}$ ) east by tide water one thousand and forty-six (1,046) feet; thence north twenty and one-quarter degrees ( $20\frac{1}{4}^{\circ}$ ) east two hundred and eighty-four (284) feet; thence north twenty-eight and one-quarter degrees ( $28\frac{1}{4}$ ) east three hundred and forty-five (345) feet to the road; thence along the road north sixty-one and three-quarter degrees ( $61\frac{3}{4}^{\circ}$ ) west two hundred and twenty-eight (228) feet; thence still along the road north thirty-six and one half degrees ( $36\frac{1}{2}^{\circ}$ ) west one thousand one hundred and thirty-one (1,131) feet; thence south fifty-six and one-quarter degrees ( $56\frac{1}{4}^{\circ}$ ) west four hundred and ninety-four (494) feet; thence north thirty-four

degrees ( $34^{\circ}$ ) west two hundred and seventeen feet; thence north seventy eight and three-quarter degrees ( $78\frac{3}{4}^{\circ}$ ) west three hundred and fifty (350) feet; thence south seventy-nine and one-half degrees ( $79\frac{1}{2}^{\circ}$ ) west one hundred (100) feet; thence south sixteen degrees ( $16^{\circ}$ ) east nine hundred and seventy-five (975) feet, and thence south thirty and three-quarter degrees ( $30\frac{3}{4}^{\circ}$ ) east three hundred and seventy-five (375) feet to the point of beginning to the intent that the portion of said premises, so as aforesaid saved, excepted and reserved shall still remain subject to the above said mortgage as heretofore, and shall not be embraced in the premises hereby granted and released to the said party of the second part. Also all that certain other tract of land situate upon said Fishers's Island, in the said County of Suffolk and State of New York, which is bounded and described as follows: Beginning at a point upon the shore of said island upon the easterly side of the West or Great Harbor, which point is designated by a mark upon a high rock at the termination of a fence now standing at high-water mark upon the shore aforesaid; and thence running south thirty-four ( $34^{\circ}$ ) degrees east and part of the way through a swamp one thousand five hundred and forty-eight (1,548) feet to a rock on the northerly side of the Eastern Point Road, which rock lies four (4) feet distant in a westerly direction from another rock; thence north forty-nine and one-quarter degrees ( $49\frac{1}{4}^{\circ}$ ) east by and along the Eastern Point Road one thousand three hundred and sixty (1,360) feet to a point marked by a stake driven into the ground; thence north fifty-six and one-quarter degrees ( $56\frac{1}{4}^{\circ}$ ) east three hundred and forty (340) feet to a drill hole in a low permanent rock; thence north thirty-three and one-half degrees ( $33\frac{1}{2}^{\circ}$ ) west and in a direct line with the direction of the light upon the north Hammock from the point last mentioned one thousand and forty (1,040) feet to high-water mark upon

the said easterly shore of said West or Great Harbor ; and thence in a general southwesterly direction following the variations and curvatures of the said shore about one thousand eight hundred (1,800) feet to the point or place of beginning, containing forty-nine and one-half acres more or less.

AGREEMENT.

James H. Lyles, Trustee, &c.,

*with*

Fannie B. Chipman.

Dated 5th Sept., 1881. Recorded 9th Sept., 1881,  
Liber 257. p. 417.

Agreement to sell the party of the second part two certain lots, pieces or parcels of land situate on Fisher's Island, County of Suffolk, State of New York, known and designated as lots numbers four (4) and seven (7) in section fourteen (14) upon a certain map entitled, "Map of lots on Fisher's Island, including the Highland Range between the Great Harbor and the Atlantic shore," filed in the office of the clerk of Suffolk County, State of New York, and numbered 339 in said office.

**50.**

DEED, Q. C.

James H. Lyles, Trustee, &c.,

*to*

Daniel J. Brown.

Dated 19th August, 1881. Recorded 22d Sept.,  
1881, Liber 258, p. 37.

Conveys :

All that lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, which is known as lot No. 10, Section 13, upon a certain map entitled

“Map of lots on Fisher’s Island, embracing the Highland Range between Great Harbor and the Atlantic shore,” filed in the office of the clerk of said County of Suffolk, on the 23d day of September, 1878, and numbered 339 in said office containing  $\frac{3}{4}$  and  $\frac{1}{100}$  acres.

Covenants 1 and 2 above referred to.

**51.**

DEED, Q. C.

James H. Lyles, Trustee, &c.,

*to*

Mary A. Wetmore.

Dated 19th August, 1881. Recorded Sept. 29th, 1881, Liber 258, p. 160.

Conveys :

All that certain parcel, lot or plot of land, together with the buildings thereon, bounded and described as follows, viz. : Commencing at the northerly corner of said lot at a drill hole in a mere stone at the southwesterly corner of land owned by Alonzo Fones and in the easterly side of Equestrian Avenue ; thence southwesterly by and along said avenue on its easterly side seventy-nine feet to an angle in said avenue ; thence southwesterly by and along said avenue, ninety feet to a point, making its southwest corner ; thence southeasterly and by the magnetic compass in a course south  $26\frac{3}{4}$ , east two hundred and twenty-eight feet passing through as near as may be the centre of a woodshed or out-house, to a drill hole made in a stone wall ; thence northeasterly by and along said wall one hundred and sixty-five feet to its northeast corner ; thence northerly in a straight line three hundred and five feet to a drill hole in a mere stone, the point of beginning. The above described premises being on Fisher’s Island, Suffolk County, State of New York.

Covenants 1 and 2 above referred to.

52.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Louise W. Bowers.

Dated the 23d Sept., 1881. Recorded 13th Oct., 1881, Liber 258, p. 441.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island in the County of Suffolk and State of New York, bounded and described as follows, viz.: Beginning at a point twenty-five feet northerly from a drill hole in a mere stone in the centre of the street called and known as the "Appian Way" at an angle in the northern boundary line of lands formerly owned by Miss Maria D. Fay, but now in the possession of Henry Bowers and also ten and one-half feet from a drill hole in the top of a rock, said point of beginning being at the intersection of the northern boundary line of said Bower's land and the northerly side of said Appian Way; thence north  $78^{\circ}$  east by and along the Appian Way one hundred and ninety-four feet to a point in the north line of said Appian Way; thence north  $29^{\circ}$  east two hundred and eleven feet to a point on the east margin of the pond at high-water mark, where the dam of said pond overflows; thence following the contour of the northerly margin of said piscatorial pond at high-water mark to the fence about five hundred and sixty feet by course of margin; thence north  $79^{\circ}$  west eighty feet to the northeast corner of said Bower's land; thence south  $14\frac{3}{4}^{\circ}$  east four hundred and ninety feet to the point or place of beginning, containing  $2\frac{1}{10}\frac{1}{16}$  acres.

Covenants 1 and 2 above referred to, and also the following covenant: And the said party of the first part hereby forever reserves to himself as such trustee, his successors and assigns, and also to the beneficiaries under the trust named in the trust deed aforesaid, the right to use said pond and the

water therein, and also to take fish, ice and other substances therefrom to the full liberty or extent that he or they would have been entitled so to do had not this conveyance been made.

**53.**

## DEED, Q. C.

James H. Lyles, Trustee, &c.,  
*to*  
 Harvey Chapman.

Dated 19th August, 1881. Recorded 18th October, 1881, Liber 258, p. 498.

## Conveys:

All that certain lot, piece or parcel of land on Fisher's Island, State of New York (Suffolk County), together with the cottage and out-buildings thereon, bounded and described as follows: Commencing at its southwest corner formed by the intersection of Equestrian and Midlothian Avenues; thence easterly by and along Midlothian Avenue one hundred and forty-one feet to an angle in said avenue; thence easterly by and along said avenue one hundred and ten feet to a wall; thence northeasterly by and along said wall thirty-nine feet to the southeast corner of said lot; thence northwesterly two hundred and twenty-eight feet to a point on the easterly line of Equestrian Avenue one hundred and eighty feet northerly from the point of departure; thence southwesterly by and along the easterly side of Equestrian Avenue one hundred and eighty feet to the point of beginning.

Covenants 1 and 2 above referred to.

**54.**

## DEED, Q. C.

James H. Lyles, Trustee, &c.,  
*to*  
 James Freeman Bush.

Dated 20th Dec., 1880. Recorded 14th Dec., 1881, Liber 260, p. 157.

Conveys :

All that lot, piece or parcel of land situate, lying and being on Fisher's Island, County of Suffolk and State of New York, and which is known as Lot No. 1, Section 11, upon a certain map entitled, "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic shore," filed in the office of the clerk of said County of Suffolk on the (23d) twenty-third day of September, eighteen hundred and seventy-eight (1878) and numbered 339, in said office.

Covenants 1 and 2 above referred to.

**55.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Frances Catharine Hedge.

Dated 1st May, 1877. Recorded 30th December, 1881, Liber 260, p. 404.

Conveys :

All that certain tract of land situate upon said Fisher's Island, in said County of Suffolk and State of New York, which is bounded and described as follows: All that certain peninsular of land which runs out into the West or Great Harbor, and is surrounded on all sides by the waters of said harbor, excepting only where it is connected with the mainland of said island by a narrow strip of land, and upon the said strip of land the premises hereby described and conveyed are bounded on the easterly side by a line running from water to water, as follows: Commencing at a point on the southerly shore thereof on a hard ridge of land, which point is distant thirty-three (33) feet in an easterly direction from a large rock, and running thence due north in a straight line along and upon said ridge two hundred and thirty (230) feet to the northerly

shore thereof at a point distant eighty-one feet in a westerly direction from another large rock.

Covenants 1 and 2 above referred to.

**56.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

William A. Hedge.

Dated 1st October, 1878. Recorded December 30th, 1881, Liber 260, p. 408.

Conveys:

All those certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which are known and described as lots numbers one (1), two (2) and three (3) of section six (6), upon a certain map entitled, "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic shore," filed in the office of the Clerk of the said County of Suffolk on the 23d day of September, 1878, and numbered 389 in said office.

Covenants 1 and 2 above referred to.

**57.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

James Walker.

Dated 10th March, 1882. Recorded 24th March, 1882, Liber 262, p. 547.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, Suffolk County, State of New York, bounded and described

as follows: Commencing at a point at high-water mark on the north shore of Fisher's Island on Fisher's Island Sound; thence in a southwesterly direction by and along the east side of Avenue A one hundred and ninety (190) feet to a mere stone; thence in a southeasterly direction four hundred and thirty-two (432) feet to a mere stone; thence in a northeasterly direction one hundred and ninety-two feet (192) to high-water mark on the shore; thence northerly by and along said shore four hundred and fifty feet to the point of beginning.

Covenants 1 and 2 above referred to.

**15.**

## AGREEMENT.

James H. Lyles, Trustee, &c.,

*with*

De Witt C. Sage.

Dated 22d February, 1882. Recorded 29th March, 1882, Liber 263, p. 7.

Agreement wherein and whereby the agreement of May 22d, 1877, is amended, altered and modified as follows:

The said party of the second part remises, releases and forever discharges the said James H. Lyles as such trustee and all the lands which were of said Lyles as such trustee on said twenty-second day of May from the operation and effect of said agreement of May 22d, 1877, above recited, except so far as said agreement effects and is a lien and incumbrance on the following described lands and premises upon which said agreement as hereinafter altered, limited and modified shall continue in full force and effect: All that certain lot, piece or parcel of land lying and being on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows, viz.: Commencing at a drill hole in a rock marking the southeast corner of

a lot containing the brickyard formerly sold to DeWitt C. Sage and now in his possession, said rock being on the west side of Oriental Avenue; thence south  $7\frac{3}{4}^{\circ}$  east thirteen hundred and eighty feet to a mere stone; thence south  $37\frac{1}{2}^{\circ}$  west thirteen hundred and fifty-nine feet to a point on the bluff of Isabella Beach; thence north  $25\frac{3}{4}^{\circ}$  west fifteen hundred and twenty feet to a drill hole on top of a conical rock, said rock marking the southwest corner of said brickyard lot being on the west line of Oriental Avenue; thence north  $49\frac{1}{4}^{\circ}$  east by and along the east line of said brickyard lot thirteen hundred and sixty feet; thence north  $56\frac{1}{4}^{\circ}$  east by and along the west line of said brickyard lot three hundred and forty feet to the point or place of beginning, containing  $44\frac{6}{10}$  acres of land, or however otherwise bounded, measured or described. Being the same premises described in a certain Indenture of Release, bearing date the nineteenth day of January, A. D. 1882, made by Joseph S. Fay and others to said James H. Lyles, trustee, &c. Reserving to himself the same rights and privileges of using the waters in the pond through which the eastern boundary line of said above described lands passes that he had under said agreement of May 22d, 1877. And the said James H. Lyles as trustee covenants and agrees that the aforesaid tract of land is now free and clear from all incumbrances. And he further covenants and agrees that the said De Witt C. Sage shall have and enjoy the right, easement and privilege in the lands aforesaid exclusively.

And that he will not sell or otherwise dispose of any portion of the land aforesaid in such manner as to interfere with or prevent the full enjoyment by the said De Witt C. Sage of the aforesaid right, easement and privilege. And he further covenants and agrees that if said Sage shall maintain machinery sufficient to manufacture five million bricks per year he shall not be required to manufacture any greater number than he shall deem expedient, and

that a royalty of ten cents per thousand shall be required only upon the number actually manufactured and sold, which said royalty shall be accounted for and paid in the manner and at the times mentioned in the said agreement of May 22d, 1877. It is understood, covenanted and agreed between the parties hereto that each is discharged from any and all covenants, conditions and provisions of the said agreement of May 22d, 1877, not herein expressly recognized. And it is further agreed between the parties hereto that this agreement and all provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators and assigns of Sage, and the executors and assigns of said Lyles as such trustee, and that Oriental Avenue aforesaid is to exist as hitherto.

**58.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

De Witt C. Sage.

Dated 25th February, 1882. Recorded 29th March, 1882, Liber 263, p. 11.

Conveys :

All that parcel of land on Fisher's Island, in the County of Suffolk and State of New York, called the Sand Bank, bounded and described as follows, to wit: Commencing at the southeast corner of said lot at a point marked by a stake and stones, said point is located by the following bearings and measurements: First, measure from said point fifty-five and one-half feet to a drill hole in the apex of a large, high rock, the bearing to which is by the course of compass S.  $28\frac{1}{4}^{\circ}$  E.; second, measure from said starting point eighty-three feet to a drill hole in the apex of a large, high rock, the bearing to which by course of compass is N.  $53\frac{1}{2}^{\circ}$  E.; thence from said

stake and stones as the starting point N.  $28\frac{1}{4}^{\circ}$  W. two hundred and forty-nine and one-half feet to a wild cherry tree; thence N.  $42^{\circ}$  W. two hundred and four feet to a stake at high-water mark, said stake being north of the north side of a high boulder lying at high-water mark and distant therefrom thirty feet; thence southerly by and along the shore four hundred and eighty-four feet to a stake and stone at high-water mark; thence N.  $88\frac{1}{4}^{\circ}$  E. two hundred and four feet to a stake and stones; thence N.  $76\frac{3}{4}^{\circ}$  E. (244 feet) two hundred and forty-four feet to the point of beginning; said lot contains two and one-quarter acres. It is understood and agreed that on, beyond and adjoining the southerly and easterly sides of said lot a strip of land shall remain for a road or passage way two rods wide, from the water to the first angle, a distance of two hundred and four feet, and from the said angle to the point of beginning two rods wide at the angle, and terminating at the starting point with a width of  $55\frac{1}{2}$  feet, for the use and purposes of a passage way or road for the mutual benefit and use of said grantor and grantee. Furthermore, it is agreed and provided that the said grantee may use the road or passage way leading from the termination of the last-described strip of land across the grantor's land to the barway opening into the said grantee's land known as the "Brick Yard" fifty acre lot, the course of bearing of said passage way is N.  $48\frac{1}{2}^{\circ}$  E. Furthermore, it is agreed and provided that the said grantee may at his own expense build another road across the land of said grantor and use the same to pass to and from "the sand bank" herein conveyed to a convenient point on said road or cart path last described, provided said grantee shall build the same within a year from the date of this indenture and not obstruct thereby any necessary drainage; and it is further agreed that the said grantee shall have the privilege of working or improving either of the above-named roads, and for that pur-

pose may remove such earth and rock thereon as may best suit his convenience.

Covenants 1 and 2 above referred to.

**59.**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

William D. True.

Dated May 1st, 1882. Recorded 15th August, 1882, Liber 266, p. 427.

Conveys :

All those certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which are known as lots numbers seven, eight and thirteen in Section Thirteen upon a certain map entitled "Map of Lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic shore," filed in the office of the clerk of said County of Suffolk on the 23d day of September, 1878, and numbered 339 in said office. Saving and reserving a right of way across lot No. Thirteen at its most southern point (as it appears on map filed as above), which is described as follows : Commencing at the southern point of Lot No. Thirteen (Section Thirteen); thence in a northwesterly direction ten feet along lot No. Six; thence easterly to Middlestead Avenue; thence in a southerly direction ten feet to the point of beginning.

**60.**

DEED, Q. C.

James H. Lyles, Trustee, &c.,

*to*

Henry Bowers and George H. Bartlett.

Dated 18th November, 1882. Recorded 20th November, 1882, Liber 269, p. 266.

## Conveys :

All that parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows : Commencing at its northwestern corner on the southerly line of Equestrian Avenue at a mere stone set in the ground forty feet distant from the opposite wall at its termination at the gate which opens into " Press Barn Lot " ; thence by and along the fence and by course of compass south fifty-eight and a half ( $58\frac{1}{2}^{\circ}$ ) degrees east eleven hundred and twenty-five feet to a mere stone set in the ground ; thence south seventy-two and a half ( $72\frac{1}{2}^{\circ}$ ) degrees east eighty-three feet to a mere stone set on the margin of the ice pond at termination of the fence ; thence south sixty-six and a half ( $66\frac{1}{2}^{\circ}$ ) degrees east seven hundred feet across the pond to a mere stone set in the ground near the margin of the pond at its eastern side ; thence north eighty-six ( $86^{\circ}$ ) degrees east four hundred and fifty feet to a mere stone set in the ground by the " Durfee Meadow " wall ; thence north thirty-one ( $31^{\circ}$ ) degrees west three hundred and sixty (360) feet to an angle in the wall ; thence north fifteen and three-quarter ( $15\frac{3}{4}$ ) degrees west thirteen hundred and seventy feet to a mere stone at the intersection with the west side of Heatherlie Avenue ; thence by and along the westerly side of said avenue and by course of compass four and a half ( $4\frac{1}{2}$ ) degrees west three hundred and twenty feet to a mere stone at the intersection of Halcyon Avenue, being thirty-three (33) feet from the wall ; thence north fifty-three and a half ( $53\frac{1}{2}^{\circ}$ ) degrees west by and along Halcyon Avenue two hundred and forty-four feet to a mere stone set in the ground at the intersection of Equestrian Avenue ; thence by and along the southerly side of Equestrian Avenue at all points twenty feet southerly from the centre of the present carriageway to the point of beginning, excepting the last two hundred feet, the first point of which is twenty feet from the centre of

said carriageway and at its western end forty feet from the abutment of wall on the northern side of said avenue, containing fifty five and one-quarter ( $55\frac{1}{4}$ ) acres of land, be the same more or less. And also all that certain lot, piece or parcel of land situate, lying and being on said Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows: Commencing at a point on the southerly boundary line of the lands above described, distant four hundred (400) feet westerly from the southeasterly corner of said lands, and running thence westerly along said boundary line one hundred (100) feet; thence south to the low water mark of the ocean; thence easterly along said low water mark to a point in a line drawn from said point of beginning at right angles with said southerly boundary line; thence northerly to the point or place of beginning, reserving, however, a right of way through said last-mentioned lands not more than thirty feet in width, and running parallel to the beach, and to border on its northerly side on the pond through which the southeasterly boundary line of the lands first above described runs.

Covenants 1 and 2 above referred to.

**61**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

James Walker.

Dated 16th June, 1882. Recorded 9th Dec'r, 1882,  
Liber 269, p. 548.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows: Commencing at the southwest corner (on Avenue C) of a plot of land hereto-

fore conveyed to James Walker; thence by and along the west side of said lot north  $13\frac{3}{4}^{\circ}$  E. (385) three hundred and eighty-five feet to Avenue B (this forming its easterly boundary); thence westerly following the line of Avenue B (77) seventy-seven feet; thence in a southerly direction (383 feet) three hundred and eighty-three feet to Avenue C; thence easterly by and along Avenue C seven (7) feet to point of beginning.

Covenants 1 and 2 above referred to.

**62**

## DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Martha E. Hoffert.

Dated 7th June, 1881. Recorded 21st Dec'r, 1882, Liber 270, p. 96.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being upon Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows: Commencing at the intersection of the north line of Montauk Avenue and the east line of Vulcan Avenue on the southwest corner of a large high rock; thence north forty-four degrees east by the east side of Vulcan Avenue eighty-six feet to high water mark of "Great Eastern Harbor," so called; thence easterly along the water front one hundred feet to a stone wall; thence by and along said stone wall south nine and a quarter degrees east fifty-seven feet; thence by said wall south five and a half degrees west one hundred and sixty feet to its southeast corner; thence south fifty-one and a half degrees west along the boundary line between said lot and land of Hoffart's one hundred and twenty feet to its intersection with the north line of Montauk Avenue; thence north nineteen and a

quarter degrees west along said avenue two hundred and seventy-two feet to the point of beginning, containing eight-tenths ( $\frac{8}{10}$ ) of an acre, be the same more or less.

Covenants 1 and 2 above referred to.

**63**

DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Miss Sarah Wolcott.

Dated 8th September, 1882. Recorded 26th Jany., 1883, Liber 271, p. 109.

Conveys :

All that lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which is known as lot number three (3), section ten (10), upon a certain map entitled "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic shore," filed in the office of the Clerk of said County of Suffolk 23d September, 1878, and numbered 339 in said office.

Covenants 1 and 2 above referred to.

**64.**

DEED, Q. C.

James H. Lyles, Trustee, &c.,

*to*

James Walker and Paul B. Greene.

Dated 2d April, 1883. Recorded 14th April, 1883, Liber 273, p. 224.

Conveys :

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the

County of Suffolk and State of New York, bounded and described as follows: Commencing on Avenue A at the southwest corner of the lot of land conveyed to James Walker on March tenth, in the year eighteen hundred and eighty-two, said corner being marked by a drill hole in a rock, said rock being one hundred and ninety feet from high-water mark on the north shore of Fisher's Island and said Avenue A, the westerly boundary of lot heretofore conveyed as above; thence southwesterly by and along the east side of Avenue A fifty feet to a mere stone, said stone marking the northwesterly corner of the lot herein conveyed; thence southwesterly by and along the easterly line of said avenue one hundred and fifty feet to a mere stone; thence south 69° east four hundred and sixteen feet to the southwest corner of said lot; thence at right angles to said line and north 21° east one hundred and fifty feet to the southerly line of a new street called Greene Avenue; thence north 69° west by and along said Greene Avenue and parallel with the southerly line of said lot herein conveyed four hundred and two feet to the northwest corner, the point of beginning, said lot containing one and forty-one one-hundredths ( $\frac{41}{100}$ ) of an acre.

Covenants 1 and 2 above referred to.

**65.**

DEED, Q. C.

James H. Lyles, Trustee, &c.,

*to*

Fannie B. Chipman.

Dated 4th Sept., 1883. Recorded 5th Sept., 1883,  
Liber 276, p. 234.

Conveys:

All those certain pieces or parcels of land situate, lying and being on Fisher's Island, County of Suffolk and State of New York, known and designated

as lots numbers four (4) and seven (7), section (14) fourteen, upon a certain map entitled "Map of lots on Fisher's Island, including the Highland Range between the Great Harbor and the Atlantic shore," filed in the office of the Clerk of Suffolk County, State of New York, on the 23d day of September, 1878, and numbered 339 in said office.

Covenants 1 and 2 above referred to.

**66.**

DEED, Q. C.

James H. Lyles, Trustee, &c.,

*to*

Edward A. Seccomb.

Dated 8th October, 1883. Recorded 24th October, 1883, Liber 277, p. 242.

Conveys:

All those certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, County of Suffolk and State of New York, shown and designated as lots numbered one (1) two (2) and three (3), section fourteen, on a certain map entitled "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and Atlantic shore," filed in the office of the Clerk of the County of Suffolk, State of New York, on the 23d day of September, eighteen hundred and seventy-eight, and numbered 339 in said office, bounded and described as follows: Beginning at the southeasterly corner of Halcyon and Heatherlie Avenues, and running thence southerly along Heatherlie Avenue four hundred and ten (410) feet; thence easterly two hundred and sixty (260) feet to the westerly side of Halcyon Avenue, and thence northwesterly along said westerly side of Halcyon Avenue four hundred and nineteen (419) feet to the point or place of beginning.

Covenants 1 and 2 above referred to.

67.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Philip R. Elsworth.

Dated 15th of October, 1883. Recorded 17th of December, 1883, in Liber 277, page 578.

Conveys :

“ All that certain piece or parcel of land situated lying or being on Fisher’s Island, County of Suffolk, State of New York, bounded and described as follows : Beginning at the southeasterly corner of said lot at a mere stone set in the ground with a drill hole on the top surface marking the intersection of the westerly line of Bartlett Avenue, so called, with the southerly line of said lot, said mere stone being fifty-eight (58) feet from a second mere stone set in the fence, which said west line of Bartlett Avenue would strike if produced southerly fifty-eight feet (58); said point of beginning is further described as being three hundred and seven (307) feet southerly from the first angle on the west line of said Bartlett Avenue, which angle is three hundred and seven feet northerly from said point of beginning; thence northerly by and along the west line of Bartlett Avenue one hundred and three feet (103) to the northeast corner of said lot and by the course of compass N.  $14\frac{3}{4}^{\circ}$  east; thence westerly by and along the northerly line of said lot and by the course of compass N.  $88^{\circ}$  west two hundred and seventy-one feet (271) to high-water mark; thence southerly by and along the shore to the southern line of said lot, said southern line being parallel with its northern side and one hundred feet therefrom when measured at right angles thereto, and is in length two hundred and forty feet (240) from high-water mark to the point of beginning.

Covenants 1 and 2 above referred to.

68.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Patrick J. Webb.

Dated 7th of December, 1883. Recorded 19th of December, 1883, in Liber 278, page 378.

Conveys :

“All that certain piece or parcel of land situate and lying on Fisher’s Island, County of Suffolk, State of New York, bounded and described as follows: Beginning at a mere stone at the N. W. corner of said land at a point near the sheep gate, so called, being on Oriental Avenue and twenty (20) feet southerly from its centre and contiguous to the fence wall on its western side; thence by and along said wall on its westerly side and by compass S.  $13\frac{1}{4}^{\circ}$  E. six hundred and fifty-seven (657) feet to a point in the wall, said line running its entire length in close proximity to a wall on the westerly side, so as to include the wall in the land herein conveyed; thence at right angles to said wall and by compass E.  $13\frac{1}{4}^{\circ}$  N. four hundred and twenty (420) feet to a mere stone; thence N.  $13\frac{1}{4}^{\circ}$  W. sixty-six (66) feet to a mere stone, said point being twenty (20) feet southerly from the centre of Oriental Avenue; thence by and along Oriental Avenue twenty feet from its centre by and along its southerly and westerly side to the point of beginning. The above encloses four acres, be the same more or less.

Covenants 1 and 2 above referred to.

69.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*

Susan P. Tucker.

Dated 12th Nov., 1883. Recorded 14th Jan., 1884, Liber 279, p. 48.

## Conveys :

All that certain piece or parcel of land situate and lying on Fisher's Island, County of Suffolk, State of New York, bounded and described as follows : Beginning at the corner of the wall where it touches Halcyon Avenue, being the southwest corner of land owned by D. J. Brown; thence northerly in line of wall one hundred and seventy-four (174) feet to the line of Equestrian Avenue; thence westerly on a line of said avenue one hundred and sixty-six (166) feet to the intersection of Equestrian and Halcyon Avenues; thence southeasterly one hundred and seventy-eight (178) feet along the line of Halcyon Avenue to the point of beginning, containing forty-eight (48) square rods or three-tenths ( $\frac{3}{10}$ ) of an acre.

Covenants 1 and 2 above referred to.

## DEED Q. C.

James H. Lyles, Trustee, &c.,

*to*

Allison Sears.

Dated 7th Dec., 1883. Recorded 26th March, 1884,  
Liber 280, p. 382.

## Conveys :

All that certain piece or parcel of land situate and lying on Fisher's Island, County of Suffolk, State of New York, bounded and described as follows : Beginning at a mere stone twenty feet south from the centre of Oriental Avenue and adjoining the land heretofore conveyed to Patrick J. Webb; thence southerly  $13\frac{1}{4}^{\circ}$  east sixty-six (66) feet to a mere stone adjacent to the land of Patrick J. Webb; thence west  $13\frac{1}{4}^{\circ}$  south four hundred and twenty (420) feet to a point in the wall on its west-

erly side; thence south  $2\frac{1}{2}^{\circ}$  west on the westerly side of said wall two hundred and seventy-seven feet to a mere stone; thence at right angles to said line east  $2\frac{1}{2}^{\circ}$  north six hundred and thirty-five (635) feet to a mere stone; thence at right angles to said line and by compass north  $2\frac{1}{2}^{\circ}$  west four hundred and twenty-one (421) feet to a mere stone twenty (20) feet southerly from the centre of Oriental Avenue; thence by and along said avenue and twenty (20) feet from its centre two hundred and two (202) feet to the point of beginning. The above encloses five acres, be the same more or less.

Covenants 1 and 2 above referred to.

Also, and the said party of the second part, for and in consideration of the conveyance of the above mentioned and described lands and premises made by these presents, has covenanted and agreed and by these presents does for his heirs and assigns owning or having at any future time any estate, right, title or interest of, in and to the above described lands and premises or any part thereof, covenant and agree to and with the said party of the first part, his successors and assigns, that there shall not be sold or allowed to be sold on the premises hereby conveyed, or any part of the same, any gin, whiskey, brandy, wine, beer, ale, porter or intoxicating liquors of any kind whatsoever; and that no part of the land hereby conveyed shall be used for any such purpose or purposes, and that the covenants and agreements herein contained on the part of the said party of the second part, his heirs and assigns, shall run with the land and shall be obligatory on every person and persons, corporation and corporations, owning the same or having any estate, right, title or interest therein that would enable them, or any of them, or either of them, to violate any of the said covenants or agreements.

71.

DEED Q. C.

James H. Lyles, Trustee, &amp;c.,

*to*Elisha W. Sholes and Alonzo W.  
Sholes.Dated 12th June, 1878. Recorded 15th April,  
1884, Liber 280, p. 569.

Conveys :

All that certain lot, tract or parcel of land situate and lying on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows, viz.: Beginning at the south (south) east corner of the land sold and described in the deed dated August thirteenth, eighteen hundred and seventy-seven, from the grantor to Elisha W. and Alonzo W. Sholes; thence along Avenue B sixty-two feet on the east by Avenue A two hundred and forty feet on the north by Circuit Avenue sixty-four feet on the west, two hundred and forty feet, adjoining the land previously conveyed said Sholes, containing  $\frac{3.5}{100}$  of an acre, be the same more or less.

Covenants 1 and 2 above referred to.

72.

DEED.

James H. Lyles, Trustee, &amp;c.,

*to*Elish. W. Sholes and Alonzo W.  
Sholes.Dated 13th August, 1877. Recorded 17th April,  
1884, Liber 281, p. 15.

Conveys :

That portion of the beach of said Fisher's Island which lies between high-water mark and the land lately conveyed to said party of the second part as

aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land.

See covenants contained in Deed, Liber 234, p. 350, heretofore returned.

**73.**

DEED.

James H. Lyles, Trustee, &c.,

*to*

Elish. . W. Sholes and Alonzo W.  
Sholes.

Dated 12th June, 1878. Recorded 17th April, 1884, Liber 281, p. 18.

Conveys :

That portion of the beach of said Fisher's Island which lies between high-water mark and the land lately conveyed to said party of the second part as aforesaid, and the prolongation of the side lines of said land, being that portion of said beach directly in front of said land.

See covenants contained in Liber 234, p. 350, heretofore returned.

**74.**

DEED B. & S.

James H. Lyles, Trustee, &c.,

*to*

Napoleon Fontaine.

Dated 10th June, 1884. Recorded 30th June, 1884, Liber 282, p. 345.

Conveys :

All that certain lot, piece or parcel of land lying and being on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows : Commencing on the north side of the sheep gate (so called) on Oriental Avenue

thirty (30) feet from its centre and fifty feet from the northwest corner of land now owned by P. J. Webb, and thence northerly in a line of the wall between lot No. 6, section nine (9), so known, on a certain map entitled "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic shore, filed in the office of the Clerk of Suffolk County on the twenty-third day of September, eighteen hundred and seventy-eight, and what is known as the Brick Yard Pasture, and on the western side of said wall so as to include it, two hundred (200) feet to the shore of Great Harbor at high-water mark; thence easterly on the line of the shore at high-water mark until it meets a point at right angles to the first-named line and one hundred and forty-four feet from it; thence southerly two hundred and seventy feet on a line parallel to the first-named line to a point thirty (30) from the centre of Oriental Avenue; thence westerly by and along said avenue and thirty feet from its centre to the point of beginning, said lot containing one hundred and twenty-five square rods, be the same more or less.

Covenants 1, 2 and 4 above referred to.

**75.**

DEED B. AND S.

James H. Lyles, Trustee, &c.,

*to*

Henry Bowers, George H. Bartlett  
and Richard H. Chipman.

Dated 9th October, 1884. Recorded 11th December, 1884, Liber 286, p. 83.

Conveys:

All those four certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, known and distinguished as lots numbered four (4), five (5), six (6) and seven (7), in Section two (2), on a

certain map now on file in the office of the Clerk of the County of Suffolk, entitled "Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and Atlantic shore," and being the plot of ground upon which St. John's Episcopal Church now stands.

And the said parties of the second part, for and in consideration of the conveyance of the above-mentioned and described lands and premises made by these presents, have covenanted and agreed and by these presents do for themselves, their heirs and assigns owning or having at any future time any estate right, title or interest of, in and for the above-described lands and premises, or any part thereof, covenant and agree to and with the said party of the first part, his successors and assigns, that the land hereby conveyed shall be used for the maintenance of a church edifice for religious worship in the form of the Protestant Episcopal Church and for a burial ground, and that no part of the land hereby conveyed shall be used for any other purpose or purposes, and that in case said land and premises shall be abandoned for said purposes, and in that case the same shall revert to the party of the first part, his successors and assigns, and that the covenants and agreements herein contained on the part of the said party of the second part, their heirs and assigns, shall run with the land, and shall be obligatory on every person and persons, corporation and corporations owning the same or having any estate, right, title or interest therein that would enable them or any of them or either of them to violate any of the said covenants or agreements.

**76.**

## DEED B. AND S.

James H. Lyles, Trustee, &amp;c.,

*to*

Florence M. Murdock.

Dated 16th May, 1885. Recorded 21st May, 1885,  
Liber 289, p. 221.

Conveys :

All that parcel of land situated on Fisher's Island, in the Town of Southold, County of Suffolk, and described as follows: Beginning at a mere stone on the west side of Equestrian Avenue, so called, about thirty feet southeast of the house now owned by the aforesaid Florence M. Murdock and running by and along the west line of said Equestrian Avenue and by compass south eighteen degrees west about five hundred and fifty feet to a mere stone set at an angle of the said avenue; thence by compass north eight and one-half degrees east one hundred and forty-two feet to a mere stone set where an angle now is in the wall; thence by compass north twenty-one and one-half degrees west two hundred and fifty feet to a corner in the wall; thence by and along said wall following the line between the land of the aforesaid Florence M. Murdock and that of the estate of Robt. R. Fox to the mere stone at the point of beginning. Said lot contains about one hundred and fifty-three square rods, be the same more or less. Also all that lot and parcel of land situated on the said Fisher's Island, in the Town, County and State aforesaid, bounded and described as follows: Beginning at a mere stone on the north side of Equestrian Avenue, so called, and by course of compass north fifty-three degrees west one hundred feet from the second mere stone in the first described lot and running by compass north three and one-half degrees east seventeen feet to a wall; thence easterly by and along the said wall about fifty-two feet to the point where the north line of Equestrian Avenue crosses said wall; thence westerly along the line of said avenue to the point of beginning. Said lot containing about two square rods, be the same more or less.

Covenants 1, 2 and 4 above referred to.

77.

DEED B. AND S.

James H. Lyles, Trustee, &amp;c.,

*to*

Emeline H. Nash.

Dated 24th April, 1885. Recorded 4th August, 1885, in Liber 290, p. 348.

Conveys :

All that lot and parcel of land situated on Fisher's Island, in the Town of Southold, County of Suffolk and State of New York, bounded and described as follows : Beginning at the northwest corner of the intersection of Crescent and Orchard Avenues, so-called, and running by compass west nine and one-half degrees south along the line of said Orchard Avenue two hundred feet; thence at right angles to the line of said Orchard Avenue and by compass north nine and one-half degrees west one hundred and eight feet; thence by compass east ten degrees north two hundred and forty-nine feet to the west line of Crescent Avenue; thence by and along the west line of said Crescent Avenue and by compass south thirteen and one-half degrees west one hundred and twenty-three feet to the point of beginning. Said lot contains eighty-nine square rods, be the same more or less.

Covenants 1, 2 and 4 above referred to.

P. A.

Fay Fox and Bessie Fox

*to*

James H. Lyles.

Dated 14th September, 1885. Recorded 15th September, 1885, in Liber 291, p. 138.

Empower :

"To sell at his discretion at any time, at public or private sale and on such terms as to him may

seem fit, the whole or any portion of the real estate of which we are seized on said Fisher's Island, and the several small islands contiguous thereto, called the Hamocks and Wicopesset, or to mortgage or lease the whole or any portion thereof, and for that purpose is hereby authorized and empowered to execute all the necessary deeds of conveyance, mortgages or leases, with full power to convey as though he was vested with the title in fee simple.

P. OF A.

Fay Fox and Bessie Fox

*to*

James H. Lyles.

Dated 14th September, 1885. Recorded September 15th, 1885, in Liber 291, p. 139.

Empower :

“To take the entire management of our property, with full power to sell the whole or any part thereof, or to make purchases for the use and benefit of the same, and to employ such agents, employees and servants in connection therewith as to him shall seem proper.

DEED.

James H. Lyles and Harriet F.,  
his wife,

*to*

Fay Fox and Bessie Fox.

Dated 14th September, 1885. Recorded September 15th, 1885, in Liber 291, p. 140.

Conveys ;

“All that certain island situate, lying and being in the County of Suffolk and State of New York, called Fisher's Island, with the several small islands contiguous thereto, called the Hamocks

and Wicopesset, with the buildings thereon situated, excepting so much thereof as has been heretofore conveyed by said James H. Lyles, one of the parties of the first part."

See Liber 221 of Deeds, p. 426.

**78.**

DEED.

Fay Fox and Bessie Fox, by  
Attorney,

*to*

Harriet A. Joslyn.

Dated 16th Sept., 1885. Recorded 24th Sept., 1885, Liber 291, p. 246.

Conveys :

"All those certain lots, pieces or parcels of land known and designated as lots number one, two and twelve, Section 13, upon a certain map entitled "Map of lots on Fisher's Island, including the Highland Range between the Great Harbor and Atlantic shore," filed in the office of the Clerk of Suffolk County, State of New York, on the 23d day of September, 1878, and numbered 339 in said office."

Covenants 1, 2 and 4 above returned.

**79.**

DEED.

Fay Fox and Bessie Fox, by  
Attorney,

*to*

Nellie A. Lincoln.

Dated 24th Sept., 1885. Recorded 2d Oct., 1885, Liber 291, p. 338.

Conveys :

"All that certain lot, piece or parcel of land situate, lying and being on said Fisher's Island and bounded and described as follows: Beginning at a mere stone at the southwest corner of said lot and on the north side of Crescent Avenue twenty-five

feet from its centre, which mere stone is one hundred and eighty-three feet six inches (183 ft. 6 in.) south seventy-nine and one-quarter degrees ( $79\frac{1}{4}^\circ$ ) east from a stone set at the northeast corner of Crescent and Dolphin Avenues, so called, and marked by three drill holes in the top and from which the spire of the church on Fisher's Island bears south eight and three-quarter degrees east ( $S. 8\frac{3}{4}^\circ E.$ ), New London Light House north forty-two degrees west ( $N. 42^\circ W.$ ) north Hammock Light House tower north fourteen degrees east ( $N. 14^\circ E.$ ) and Latimer Reef Light House north seventy-four and one-half degrees east ( $N. 74\frac{1}{2}^\circ E.$ ) and running from the first-mentioned mere stone by compass north nineteen degrees east ( $N. 19^\circ E.$ ), about two hundred and ten feet (210) to high water mark on Fisher's Island Sound; then commencing at the said mere stone at the southwest corner of the lot and running by and along the north side of Crescent Avenue twenty-five feet from its centre by compass south seventy-nine and one-quarter degrees east ( $S. 79\frac{1}{4}^\circ E.$ ) eighty-two feet to a stake; thence northerly and by compass north thirty-four degrees east ( $N. 34^\circ E.$ ) about one hundred and eighty-seven feet (187 ft.) to high water mark on Fisher's Island Sound; thence by and along the line of high water on Fisher's Island Sound northerly and westerly about one hundred and thirty feet (130 ft.) or till it intersects with the first-named line, containing about seventy-seven square rods, be the same more or less."

Covenants 1, 2 and 4 above returned.

**80.**

DEED.

Fay Fox and Bessie Fox, by

Attorney,

*to*

Mrs. Fannie B. Chipman.

Dated 2d Nov., 1885. Recorded 27th Nov., 1885,  
Liber 292, p. 320.

Conveys :

“All that certain piece or parcel of land situate, lying and being on Fisher’s Island, County of Suffolk and State of New York, described as follows: Commencing at a mere stone at the northwest corner, which corner is thirty-feet from the centre of Ettrick Street and twenty five feet from the centre of Oceanic Avenue; thence easterly by and along the south side of Ettrick Street ninety-two feet to a mere stone; thence in a southerly direction three hundred and thirty-six feet to Durfee Street; thence westerly and northerly by and along Durfee Street to Oceanic Avenue (242) two hundred and forty two feet to a mere stone; thence northerly on the east side of Oceanic Avenue one hundred and eighty-five feet to the point of beginning (cor. Ettrick St. and Oceanic Avenue).”

Covenants 1, 2 and 4 above returned.

**81.**

DEED.

Fay Fox and Bessie Fox, by  
Attorney,

*to*

Mrs. Fannie B. Chipman and  
Edward A. Secomb.

Dated 10th Nov., 1885. Recorded 5th Dec., 1885,  
Liber 292, p. 440.

Conveys :

All that certain piece or parcel of land situate, lying and being on Fisher’s Island, County of Suffolk and State of New York, bounded and described as follows: Commencing at a rock at the southeastern end of the wall which is at northerly end of the Bowers’ Ice Pond, said rock being near the water-line of the said pond and marked with a drill hole, and running from thence by and along the shore of said pond to a mere stone which bears by compass from the aforesaid rock south fifteen degrees east

(S.  $15^{\circ}$  E.) and distant in a direct line fifty feet six (6) inches (50' 6"); thence by compass north seventy-one and three-quarters degrees east (N.  $71\frac{3}{4}^{\circ}$  E.) forty-two feet to a mere stone; thence by compass north thirty and three-quarters degrees west (N.  $30\frac{3}{4}^{\circ}$  W.) fifty-seven feet (57) to a mere stone; thence by compass south sixty-two and one-half degrees west (S.  $62\frac{1}{2}^{\circ}$  W.) twenty-seven feet and six inches (27' 6") to the rock at the place of beginning. Said lot contains about six and three-quarter square rods, be the same more or less. Together with a right of way to said lot in and over a certain strip of land running from the northerly corner of said lot by and along the ridge of plowed land till it reaches Crescent Avenue so-called. The bearings by compass of the northerly and westerly intersection of said right of way with the line of Crescent Avenue from the northerly corner of the above-described lot being north thirty degrees east for the said parties of the second part, their heirs and assigns and their servants and the tenants and occupants from time to time of the premises above granted, and any other person or persons, for their benefit and advantage in common with the said parties of the first part, their servants and the tenants and occupants of their premises adjoining at all times freely to pass and repass on foot or with animals, vehicles, loads or otherwise to and fro between the premises hereby granted and the highway or street. The said strip of land and way being twelve feet wide.

Covenants 1, 2 and 4 above returned.

**82.**

DEED.

Fay Fox and Bessie Fox, by  
Attorney,

to

Frank R. Stillman.

Dated 1st December, 1885. Recorded 17th December, 1885, Liber 292, p. 569.

Conveys :

“ All those certain lots, pieces or parcels of land situate, lying and being on Fisher’s Island, Suffolk County, State of New York, comprising lots Nos. 4 and 5 and the small lot bounded on the north by lot No. 5, east by Great Harbor, south by “The Gloaming,” a street so called, and west by lot (No.4) number four, all of section seven (7), said lots being further described as follows : Commencing at a stake on the north side of “The Gloaming,” a street so called, at the intersection of the lines of lots Nos. three, four and six of section seven and the north line of “The Gloaming,” and running from thence by compass north  $16\frac{1}{4}^{\circ}$  east one hundred and seventy-five feet to a stake at the northwest corner of lot No. 4; thence by compass north  $16\frac{1}{2}^{\circ}$  west about two hundred feet to the shore of Great Harbor; thence by and along the shore of Great Harbor southerly and easterly to the north of “The Gloaming,” street so called; thence westerly along the north line of said avenue to the point of beginning. Said lots contain about two hundred square rods, be the same more or less. Said lots are upon a certain map entitled “Map of Lots on Fisher’s Island, embracing the Highland Range between the Great Harbor and the Atlantic Shore,” filed in the office of the Clerk of said County of Suffolk on the twenty-third day of September, 1878 (eighteen hundred and seventy-eight), and numbered 339 (three hundred and thirty nine) in said office.”

Covenants 1, 2 and 4 above returned.

**83.**

DEED.

Fay Fox and Bessie Fox, by  
Attorney,

*to*

Annie Nicoll Hoes.

Dated 19th March, 1886. Recorded 3d April, 1886, Liber 295, p. 80.

Conveys :

“ All that certain piece or parcel of land situated upon Fisher’s Island, in the County of Suffolk and State of New York, bounded and described as follows : Commencing at a point distant twenty-five feet northerly from the centre of Equestrian Avenue on the easterly line of land owned by George H. Bartlett, and running thence northerly by and along said easterly line of land of George H. Bartlett one hundred and twenty-four (124) feet to the shore of Hay Harbor at high water mark ; thence easterly along said shore sixty-five (65) feet to a stone bound ; thence southerly one hundred and twenty-one feet (121) to the north side of the said Equestrian Avenue ; thence westerly by and along the northerly line of said Equestrian Avenue ninety-five (95) feet to the point of beginning. Said described lot contains about thirty-six (36) square rods, be the same more or less.”

Covenants 1, 2 and 4 above returned.

**84.**

DEED.

Fay Fox and Bessie Fox, by  
Attorney,

*to*

Robert Sauter.

Dated 27th April, 1886. Recorded 5th May, 1886,  
Liber 295, p. 474.

Conveys :

“ All that certain lot or parcel of land situated and lying on Fisher’s Island, in the Town of Southold, County of Suffolk, and State of New York, known as Lot No. twenty-one (21) of North Hills lots, as surveyed by E. B. Jennings in 1884, bounded and described as follows : Beginning at a stake at the southwest corner thereof, which stake is on the easterly side of Dolphin Avenue, bearing by compass

north three and one-half degrees east (N.  $3\frac{1}{2}$  E.) two hundred and sixty feet (260 ft.) from a mere stone set at the northeast corner of Dolphin and Circuit Avenues; said mere stone is marked by three drill holes in its top, from which the church spire on Fisher's Island bears south eight and three-quarter degrees east (S.  $8\frac{3}{4}$  E.), New London Light House north forty-two degrees west (N. 42 W.), North Hammock Light House Tower north fourteen degrees east (N.  $14^{\circ}$  E.), and Latimer Reef Light House north seventy-four and one-half degrees east (N.  $74\frac{1}{2}$  E.), and running by compass eighty-six and one-half degrees east (S.  $86\frac{1}{2}$  E.) one hundred and sixty feet (160) to high-water mark on the shore of Fisher's Island Sound; thence commencing at the first mentioned stake and running northerly by and along the east line of Dolphin Avenue and by compass north three and one-half degrees east (N.  $3\frac{1}{2}^{\circ}$  E.) eighty feet (80) to a stake; thence easterly and by compass south eighty-six and one-half degrees east (S.  $86\frac{1}{2}$  E.) one hundred and thirty-three feet (133) to high-water mark on the shore of Fisher's Island Sound; thence southerly following the line of high-water mark till it meets the first mentioned line of this lot; said lot to contain about forty-three (43) square rods, be the same more or less.

Covenants 1, 2 and 4 above returned.

85.

DEED.

James H. Lyles, Trustee, &c.,

*to*

James Barry.

Dated 3d Aug., 1885. Recorded 12 Aug., 1886,  
Liber 297, p. 324.

Conveys:

“All that lot and parcel of land situated on

Fisher's Island, Town of Southold, County of Suffolk, and State of New York, bounded and described as follows: Beginning at a rock which is marked with a drill hole in the top at the northeast corner of Crescent and Orchard Avenues so called and running along the east line of Crescent Avenue and by compass north thirteen and one-half degrees east four hundred and six feet to the corner of an angle in the aforesaid Crescent Avenue; thence easterly along the south line of said avenue, and by compass east six degrees south ninety feet to a stake; thence southerly and by compass south fourteen and one-half degrees west three hundred and eighty-four feet to a rock, which is marked with a drill hole in the top, and situated on the north side of the before mentioned Orchard Avenue; thence westerly by and along the north line of Orchard Avenue ninety-one feet to the rock at the point of beginning, said lot containing one hundred and thirty square rods, be the same more or less.

Covenants 1, 2 and 4 above returned.

**86.**

DEED.

Fay Fox and Bessie Fox,  
by Attorney,

*to*

Fannie B. Chipman.

Dated 7th Aug., 1886. Recorded 27th Aug., 1886, Liber 297, p. 478.

Conveys:

“All that certain piece, lot or parcel of land lying or being on Fisher's Island, Suffolk County, State of New York, described as follows: (Description of land between lot No. 7, Section 14, of the Highland Range, survey and map, and the highway known as Ettrick Street), commencing at a post at

the southeast corner of lot No. 7 (number seven), Section fourteen (XIV.) of above map, said lot being now owned by Fannie B. Chipman, and running westerly from said post along the south line of said lot one hundred and fifty-five feet (155) to a post at the southwest corner of said lot and on a line of the highway called Ettrick Street; thence easterly by and along the north line of said highway and by compass north fifty-nine degrees east (N. 59° E.) one hundred and sixty-two feet to the corner of said highway and Haleyon Avenue; thence northerly in a line of Haleyon Avenue twenty feet (20) to the point of beginning; said lot contains about four square rods, be the same more or less."

Covenant 1, 2 and 4 aboved returned.

**87.**

DEED.

Fay Fox and Bessie Fox,  
by Attorney,

*to*

Fannie B. Chipman.

Dated 7th Aug., 1886. Recorded 27th Aug., 1886,  
Liber 297, p. 481.

Conveys:

"All that certain lot, piece or parcel of land situated being or lying on Fisher's Island, County of Suffolk, State of New York, bounded and described as follows: Beginning at a post set at the intersection of Durfee Street with the highway known as Ettrick Street at the southeasterly corner, and running from said post by and along the southerly side of the aforesaid highway and by compass north seventy-four degrees east (N. 74° E.) one hundred and twenty feet (120 ft.) to a post; thence southerly on a line between lots Nos. 3 and 4 of Section XII. of the map of lots on Fisher's Island, embracing

the Highland Range between the Great Harbor and Atlantic shore two hundred and seventy-four feet (274 ft.) to the north line of Durfee Street; thence westerly by and along the northerly line of said Durfee Street about two hundred feet (200 ft.) to a post set at an angle in said street; thence northerly and by compass north one and one-half degrees east (N.  $1\frac{1}{2}^{\circ}$  E.) along the easterly line of Durfee Street one hundred and forty-two feet (142 ft.) to the point of beginning. Said lot contains about one hundred square rods (100 sq. rods), be the same more or less.

Covenants 1, 2 and 4 above returned.

**88.**

DEED.

Fay Fox and Bessie Fox, by attorney,

*to*

Laura E. Chipman.

Dated 4th of October, 1886. Recorded 9th of October, 1886, in Liber 298, page 390.

Conveys :

“All that certain tract or parcel of land situate on Fisher’s Island, in the Town of Southold, County of Suffolk and State of New York, which is shown on a map of lots on Fisher’s Island, made by E. B. Jennings, and filed in Suffolk County Clerk’s office September 23d, 1878, and numbered 339, bounded and described as follows: Beginning at a rock with drill holes on the southwesterly shore of Great Harbor and southerly of the road leading to the wharf as laid down on said map, and running thence south  $47\frac{3}{4}^{\circ}$  west four hundred and thirty-one (431) feet, crossing the circular drive as laid down on said map; thence north  $54\frac{1}{2}^{\circ}$  west five hundred and fifty feet (550); thence north  $28\frac{3}{4}^{\circ}$  east two hundred (200) feet to the southwesterly side of said circular drive south  $61^{\circ}$  east four hundred and eight (408) feet to a point where the southeasterly side of said road leading to

the wharf if extended southwesterly would strike the same; thence along the southeasterly side of said road leading to the wharf north 51° east three hundred and forty (340) feet to the southwesterly shore of Great Harbor, and thence along the shore of Great Harbor southeasterly to the point of beginning, excepting therefrom so much of the above-described premises as is included in said circular drive as laid down on said map, containing four and three-quarters acres of land, be the same more or less, being the same premises which were conveyed by James H. Lyles, Trustee, &c., to Charles L. Richards, Henry L. Parker and James M. Meech by deed dated August 24th, 1877, and recorded in Suffolk County Clerk's office in Liber 230, page 549, on the 15th day of October, 1877.

89.

DEED.

James H. Lyles, Trustee,

*to*

William A. Hedge.

Bargain and sale, dated Jan. 15th, 1884. Recorded Oct. 27th, 1886, Liber 299, p. 28.

Conveys:

All that certain piece or parcel of land situate, lying and being on Fisher's Island, County of Suffolk and State of New York, known and designated as lot No. 6, section No. 7, upon a certain map entitled, "Map of lots on Fisher's Island, including the Highland Range between the Great Harbor and Atlantic shore," filed in the office of the Clerk of Suffolk County, State of New York, on the 23d day of September, 1878, and numbered 339 in said office.

Covenants 1, 2 and 4.

**90.**

DEED.

Fay Fox and Bessie Fox, by Jas.

H. Lyles, Atty.

*to*

William E. Stone.

Dated August 30, 1887. Recorded Sept. 12, 1887,  
Liber 305, p. 350, &c.

Conveys:

All that or those pieces or parcels of land situate, being and lying on Fisher's Island, Suffolk County, State of New York, known as Bell Hill Lots six (6) and (7) seven, but further described as follows: Beginning at a stake set on the westerly side of Crescent Avenue, which stake bears by compass north one degree east (N. 1° E.) distant one hundred and fifteen feet (115 feet) from a mere stone, said stone being set at the intersection of the west lines of Crescent Avenue and Bartlett Avenue, and running from the first mentioned bounds westerly and by compass north eighty-nine degrees west (N. 89° west) three hundred and sixty-one feet (361 feet) to a stake set near high-water mark on the east shore of Little Bay Harbor; thence northerly following the line of high-water mark and by compass in a direct line north twenty-four degrees (24°) east two hundred and thirty feet (230 feet) to a stake and bunch of stones; thence easterly and by compass south eighty-nine degrees east (S. 89° E.) three hundred and twenty-nine feet (329 feet) to a stake set on the westerly line of Crescent Avenue; thence southerly by and along the west line of said avenue and by compass south twenty-two degrees west (S. 22° W.) one hundred and twenty-feet (120 feet) to a stake set at the intersection of an angle in said avenue; thence southerly following the west line of Crescent Avenue by compass south one degree west (S. 1° W.) one hundred and fifteen feet (115 feet) to the stake at the point of beginning. Said lot contains about two

hundred and seventy-nine square rods (279), be the same more or less. The right of way for public use by a path six feet (6 feet) wide is reserved along the shore of Little Hay Harbor.

Covenants 1, 2 and 4.

**91.**

DEED.

James H. Lyles, Trustee, &c.,

*to*

William H. Fones.

Dated Sept. 20, 1881. Recorded April 19, 1888,  
Liber 310, p 222, &c.

Conveys:

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, bounded and described as follows, viz.: Commencing at a point coinciding with a point which marks the southwest corner of said Fones' present lot, on the easterly line of Equestrian Avenue; thence southeasterly by and along said Fones' fence three hundred and ten feet to the southerly corner of lot at a point in the northwesterly side of Vulcan Avenue; thence southwest-erly by and along Vulcan Avenue forty-one feet to a point in said wall; thence northwesterly three hundred and five feet to the point of beginning.

Covenants 1 and 2.

**92.**

DEED.

Fay Fox and Bessie Fox

*to*

Bathsheba E. Barlow.

Dated Nov. 13, 1886. Recorded Nov. 22, 1886,  
Liber 299, page 394.

## Conveys :

All those two certain tracts or parcels of land, situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which are bounded and described as follows, viz: The first tract beginning at a post set on the easterly shore of Great or West Harbor at high-water mark and about thirty (30) feet northerly from the north corner of the building known as Barlow's ice house, which said post marks the western corner of the lot, and running from the said post southeasterly and by compass south forty-four and one-half degrees east (S.  $44\frac{1}{2}^{\circ}$  E.) one hundred and seventy (170) feet to a post set at the southerly corner of this lot and on the westerly side of a roadway. This before-mentioned line passing by the east corner of said Barlow's ice house at a distance of twenty (20) feet from it; thence running by and along the westerly side of the before-mentioned roadway and by compass north thirty-nine and one-half degrees east (N.  $39\frac{1}{2}^{\circ}$  E.) two hundred and eighty-two feet (282) to a post; thence northerly and westerly and by compass north forty-nine degrees west (N.  $49^{\circ}$  W.) two hundred and fifteen (215) feet to a rock on the shore at high-water mark, said rock being marked with a drill hole on its northern side; thence south-westerly and by compass south thirty degrees west (S.  $30^{\circ}$  W.) two hundred and sixty-six (266) feet in a direct line to the post at the point of beginning, the last-mentioned line to follow the course of ordinary high-water mark, so as to include all the land above it; said lot contains about one  $\frac{2\frac{1}{10}}{10}$  acres, be the same more or less. The second tract, beginning at a post set at the westerly corner, which corner is fifty-one feet (51) by compass south forty-four and one half degrees east (S.  $44\frac{1}{2}^{\circ}$  E.) from the southerly corner of lot No. 1 and on the easterly side of the roadway mentioned in the description of said lot, and running from thence by compass south forty-four and one-half degrees east (S.  $44\frac{1}{2}^{\circ}$  E.) five hun-

dred and thirty-three (533) feet to the north shore of the ice pond to a post; thence following the shore of the pond at its high water line till it reaches a point marked by a post bearing from the last-mentioned bound by compass north sixty-two and one-half degrees east (N.  $62\frac{1}{2}^{\circ}$  E.) and distant in a direct line one hundred and seventy-four feet (174); thence northwesterly and by compass north forty-two and one-half degrees west (N.  $42\frac{1}{2}^{\circ}$  W.) six hundred and eight feet to a post set on the easterly side of the before-mentioned roadway, said line passing through the centre of a large oak tree twelve (12) feet from its starting point; thence southwesterly by and along the said roadway and by compass south thirty-nine and one-half degrees west (S.  $39\frac{1}{4}^{\circ}$  W.) one hundred and eighty-eight (188) feet to the point of beginning; said described lot contains about two and  $\frac{54}{100}$  acres, be the same more or less. Saving and reserving unto said parties of the first part the right of way over and across said premises at any and all time until such time as the road now passing between the two parcels above described shall have been opened to the public. It being expressly understood that nothing herein contained is to be construed as passing title to the pond upon which the above-described premises border or the land under the same.

Covenants 1, 2 and 4.

**93.**

DEED.

Fay Fox and Bessie Fox

*to*

School District No. 18, Town of  
Southold.

Dated Feb. 23d, 1888. Recorded June 13th, 1888,  
Liber 311, p. 367.

Conveys :

All that lot and parcel of land situate and lying on Fisher's Island, in the Town of Southold, County of Suffolk and State of New York, bounded and described as follows: Beginning at a stake set on the east side of the public highway known as Oriental Avenue, at the intersection of its easterly line with the southwest line of Alpine Avenue, so called, and running from thence southeasterly by and along the southwesterly line of Alpine Avenue two hundred and seven feet (207 ft.) to a stake, said stake being set in the corner of an angle in said Alpine Avenue; thence westerly about one hundred and forty feet (140 ft.) to the east line of the above-mentioned public highway, known as Oriental Avenue; thence northerly by and along the east line of said highway one hundred and fifty-six feet (156 ft.) to the point of beginning. The above-described lot being known as lot No. 1, Sec. 3, of Highland Range survey of lots on Fisher's Island. Said lot contains about forty square rods (40 sq. rods), be the same more or less.

Covenants 1, 2 and 4.

**94.**

DEED.

Fay Fox and Bessie Fox

*to*

Sarah E. Starkweather.

Dated Aug. 22d, 1888. Recorded Aug. 28, 1888,  
Liber 312, p. 439.

Conveys :

All that lot and parcel of land situated and lying on Fisher's Island, Town of Southold, County of Suffolk and State of New York, bounded and described as follows: Beginning at a stake set at the intersection of an angle in Selkirk Avenue, so-called, and at the southwest

corner of said angle, and running from said stake southerly two hundred and sixteen feet (216 ft.) to a stake set on the easterly side of Oriental Avenue; thence northwesterly by and along the easterly line of Oriental Avenue one hundred and fifty-five feet (155 ft.) to a stake set at the intersection of Oriental Avenue, with Montauk Avenue on its easterly side; thence northerly by and along the easterly line of Montauk Avenue seventy-four feet (74 ft.) to a stake; thence easterly one hundred and seventy-six feet (176 ft.) to a stake set on the westerly side of Selkirk Avenue; thence southerly by and along the westerly side of Selkirk Avenue eighty-three feet (83 ft.) to the stake set at the point of beginning. The above described lot is still further described as being lot No. 3, Sec. 8, of Highland Range survey of lots on Fisher's Island, and containing about one hundred and ten square rods (110 sq. rods), be the same more or less.

Covenants 1, 2 and 4.

95

DEED.

Fay Fox and Bessie Fox

*to*

Fanny J. Wiswell.

Dated Sept. 8, 1888. Recorded Oct. 22, 1888,  
Liber 313, page 399.

Conveys:

All that lot and parcel of land situated and lying on Fisher's Island, Town of Southold, County of Suffolk and State of New York, bounded and described as follows: Beginning at a post set at the northwest corner thereof, which said post also marks the southwest corner of lot No. 3, Sec. 6, of Highland Range survey of lots on Fisher's Island and on the easterly side of Montauk Avenue, and running from thence easterly along the south line of

said lot No. 5 one hundred and seventy-six feet (176 ft.) to a post; thence southerly seventy-six feet (76 ft.) to a stake; thence westerly one hundred and one feet (101 ft.) to a stake set on the east side of Montauk Avenue; thence northerly along the east line of said avenue one hundred and thirty-eight (138 ft.) to the post at the point of beginning, said lot being further described as lot No. 4, Sec. 6, of Highland Range survey of lots on Fisher's Island, and contains about forty-eight square rods (48 sq. rds.), be the same more or less.

Covenants 1, 2 and 4.

**96****DEED.**

Fay Fox and Bessie Fox,  
by Attorney,  
*to*  
Christian Hansen.

Dated 10th Sept., 1887. Recorded 22d June, 1889,  
Liber 320, p. 379.

Conveys :

"All that certain piece or parcel of land situated, lying or being on Fisher's Island, County of Suffolk, State of New York, known and described as lot No. three (3), section two (2), upon a certain map entitled 'Map of lots on Fisher's Island, embracing the Highland Range between the Great Harbor and the Atlantic shore,' filed in the office of the County Clerk of Suffolk County, State of New York, and numbered 339 in said office."

Covenants 1, 2 and 4.

**DEED.**

James H. Lyles, Trustee, &c.,  
*to*  
Christian Hansen.

Dated 1st Oct., 1878. Recorded 22d June, 1889,  
Liber 320, p. 377.

Conveys :

“All those certain lots, pieces or parcels of land situate, lying and being on Fisher’s Island, in the County of Suffolk and State of New York, and which are known and described as lots numbers one (1) and two (2) of section one (1), upon a certain map entitled ‘Map of lots on Fisher’s Island, embracing the Highland Range between the Great Harbor and the Atlantic shore,’ filed in the office of the Clerk of the said County of Suffolk, on the 23d day of September, 1878, and numbered 339 in said office.”

Covenants 1 and 2.

97

DEED.

Fay Fox and Bessie Fox

*to*

Augustus C. Markham.

Dated 10th June, 1889. Recorded 20th June, 1889, Liber 320, p. 341.

Conveys :

“All that certain lot, piece or parcel of land situate, lying and being upon Fisher’s Island, in the County of Suffolk and State of New York, and bounded and described as follows : Commencing at a point in the centre of a rock marked by a drill hole, said drill hole being at the southwest corner of said lot, and at the intersection of two contemplated streets, said streets bounding said lots on three of its sides, viz., northerly, southerly and westerly, said starting point or drill hole being thirty feet easterly of a stake driven into the ground, and forty feet northerly from a boulder near the surface of the ground; thence north eighty-three degrees east one hundred and ninety-four feet to its southeast corner; thence north thirteen and a half degrees west two hundred and thirty-three feet to its

northeast corner; thence south eighty degrees west one hundred and eighty-eight feet to its northwest corner; thence south twelve and a quarter degrees east two hundred and twenty-one feet to the point of departure, containing one acre of land.”

Covenants 1, 2 and 4.

MORT. \$1700.

Harriet A. Lyles and James H. Lyles

*to*

Henry H. Fay.

Dated 27th May, 1885. Recorded 2d June, 1885,  
in Liber 167, p. 359.

Affects:

“All that certain lot, piece or parcel of land situate, lying and being on Fisher’s Island, in the County of Suffolk and State of New York, and which is situated and lies between Oriental and Crescent Avenues and Equestrian Avenue and Athol Crescent, containing three (3) acres, be the same more or less, and which is known and described on a certain map entitled “Maps of lots on Fisher’s Island, embracing the Highland Range between the Great Harbor and the Atlantic shore,” filed in the office of the Clerk of said County of Suffolk, on the twenty-third day of September, 1878, and numbered three hundred and thirty-nine (339) in said office, subject, however, to the restrictions and covenants against nuisances contained in the deed of said premises to said Harriet A. Lyles, dated April 10th, 1879, and recorded in said Suffolk County Clerk’s Office.”

Nothing else found.

Witness my hand and the seal of the County  
of Suffolk, at Riverhead, N. Y., this 1st  
[L.S.] day of July, 1889.

ORANGE T. FANNING,  
Clerk.

Premises :

“ All that certain island situate, lying and being in the Town of Southold, County of Suffolk and State of New York, called Fisher’s Island, and the several small islands adjacent thereto, called the Hamocks and Wicopesset.”

SUFFOLK COUNTY, }  
Clerk’s Office, } ss.:

I, ORANGE T. FANNING, Clerk of said County, do hereby certify that I have searched the records in this office for conveyances or mortgages made by Fay Fox, Bessie or James H. Lyles, individually or as attorney or trustee, or any of them or either of them, from the 1st day of July, 1889, to the 1st day of August, 1889, and find :

**99.**

DEED,

Fay Fox and Bessie Fox

*to*

Florence M. Murdock.

Dated 25th June, 1889. Recorded July 11th, 1889, in Liber 321, page 29.

Conveys :

“ All that certain lot and parcel of land situate and lying upon Fisher’s Island, in the Town of Southold, County of Suffolk and State of New York, bounded and described as follows : Beginning at a stake or bound which is set in the northerly side of Equestrian Avenue, so called, which said bound marks the southwesterly corner of a lot of land owned by William A. Hedge, and which is also the southeasterly corner of the herein described lot, and running from said bound westerly by and along the north side of the above-mentioned Equestrian Avenue and by compass south fifty-two and one-half degrees west (S. 52½° W.) two hundred and sixty feet

(260 ft.) to a stake set on the westerly side of a stone wall or fence; thence south sixty-two degrees west (S. 62° W.) seventy-feet (70 ft.) to a stake or bound; thence northerly and by compass north twenty-nine and one-half degrees west (N. 29½° W.) one-hundred and seventy-two feet (172 ft.) to a stone wall or fence; thence easterly following the line of the said wall and by compass south seventy-five and one-half degrees east (S. 75½° E.) ninety-two feet (92 ft.) to a turn or angle in the line of the wall; thence north seventy-two degrees east (S. 72° E.) two hundred and seventy-five feet (275 ft.) to the westerly line of the land of William A. Hedge; thence southerly by compass south three and one-half degrees east (S. 3½° E.) seventeen feet (17 ft.) to the point of departure. Said lot is bounded and joins on the north land of the above-named party of the second part, Florence M. Murdock, east by land of William A. Hedge, south by the public highway known as Equestrian Avenue, west by land of Fay Fox and Bessie Fox, parties of the first part to this conveyance, and contains about ninety square rods (90 sq. rods), be the same more or less.

Covenants 1, 2 and 4.

**98.**

DEED.

Fay Fox and Bessie Fox

*to*

Abram Gifford.

Dated 25th June, 1889. Recorded July 11th, 1889, in Liber 321, p. 33.

Conveys :

“ All that certain lot and parcel of land situated and being upon Fisher's Island, in the Town of Southold, County of Suffolk and State of New York, bounded and described as follows : Beginning at the southwest corner of the lot, which said corner

is made by the intersection of Montauk Avenue with the public highway known as Crescent Avenue forty feet northerly from the south line of Montauk Avenue and fifty feet from the west line of Crescent Avenue, and running by and along the easterly side of said Crescent Avenue by compass north four degrees east (N.  $4^{\circ}$  E.) about two hundred and fifty feet (250 ft.) to a stake or bound set at the point of an angle in the east line of Crescent Avenue, which said point lies south seventy-six and one-half degrees east (S.  $76\frac{1}{2}^{\circ}$  E.) from the southwesterly corner of the highways known as Athol Crescent and Crescent Avenue and distant fifty-one feet (51 ft.) from said corner; thence northerly by compass with twenty-four and a half degrees east (N.  $24\frac{1}{2}^{\circ}$  E.) forty-seven feet and nine inches (47 ft. 9 in.) to a stake or bound; thence north forty-three degrees east (N.  $43^{\circ}$  E.) thirty-nine feet and six inches (39 ft. 6 in.) to a stake or bound set at the northwesterly corner of the lot; thence easterly by compass south sixty-three degrees east (S.  $63^{\circ}$  E.) one hundred and fifty feet (150 ft.) to a stake or bound set at the northeasterly corner of the lot; thence southerly by compass south eleven and one-half degrees west (S.  $11\frac{1}{2}^{\circ}$  W.) about three hundred and twenty feet (320 ft.) to a stake or bound set on the northerly side of Montauk Avenue; thence westerly by and along the northerly side of Montauk Avenue by compass north sixty and three-quarters degrees west (N.  $60\frac{3}{4}^{\circ}$  W.) one hundred and twenty-five feet (125 ft.) to the point of beginning. Said lot is bounded on the north and east by land of Fay Fox and Bessie Fox, the parties of the first part to this conveyance, on the south by Montauk Avenue, on the west by the public highway known as Crescent Avenue, and contains about one acre of land, be the same more or less.

Covenants 1, 2 and 4.

**100.**

DEED.

Fay Fox and Bessie Fox

*to*

Henry E. Lyles.

Dated 11th July, 1889. Recorded July 15th, 1889,  
Liber 321, p. 71.

Conveys :

All that certain lot, piece or parcel of land situate, lying and being on Fisher's Island, in the Town of Southold, County of Suffolk and State of New York, bounded and described as follows: Commencing at a mere stone which is marked by a drill hole in the top thereof, and set on the westerly side of Crescent Avenue at the point where it intersects with Bartlett Avenue, and running from said mere stone northerly by and along the westerly side of said Crescent Avenue and by compass north one degree east (N. 1° E.) one hundred and fifteen (115) feet to a stake or bound set at the northeasterly corner of the lot and also making the southeast corner of a lot of land owned by Wm. E. Stone; thence westerly by and along the southerly side of the lot of said Wm. E. Stone and by compass north eighty-nine degrees east (N. 89° E.) three hundred and sixty-one (361) feet to a stake or bound which is set near highwater mark on the easterly shore of the entrance to Hay Harbor, which said stake or bound marks the northwest corner of the lot and also the southwest corner of land of the aforesaid Wm. E. Stone; thence southerly following the line of the highwater mark about two hundred and fifty (250) feet to a stake or bound set at the southwest corner of the lot; thence easterly and by compass south eighty-nine degrees east (S. 89° E.) three hundred and twenty-two (322) feet to a mere stone set on the westerly side of the before mentioned Bartlett Avenue, which said stone marks

the southeast of the herein described lot, the last mentioned and described line being drawn parallel to and two hundred and thirty (230) feet from the north line of the lot, thence northeasterly by and along the westerly side of Bartlett Avenue by compass north thirty-six and one-half degrees east (N.  $36\frac{1}{2}^{\circ}$  E.) one hundred and forty-one (141) feet to the mere stone at the point of beginning. Said lot being further described as lots numbers 4 and 5, Bell Hill lots, as surveyed by E. B. Jenning in September, 1883, and contains about two hundred and ninety-seven (297) square rods, 1.85 acres, be the same more or less.

Covenants 1, 2 and 4.

**101.**

DEED B. &amp; S.

Fay Fox and Bessie Fox, by Attorney,

*to*

Christian Hansen.

Dated 16th July, 1889. Recorded 20th July, 1889,  
Liber 321, p. 159.

Conveys:

All those two certain lots, pieces or parcels of land situate, lying and being on Fisher's Island, in the County of Suffolk and State of New York, and which are known and described as lots numbers one (1) and two (2) of section two (2) upon a certain map entitled "Map of lots on Fisher's Island, embracing the Highland between the Great Harbor and the Atlantic shore," filed in the office of the Clerk of said County of Suffolk, on the 25th day of September, 1878, and numbered 339 in said office.

Covenants 1, 2 and 4.

## WARRANTY DEED.

Fay Fox and Bessie Fox, by Attorney, and the said Fay Fox and Bessie Fox, parties of the first part, and James H. Lyles, individually, party of the second part,

*to*

Edmund M. Ferguson, party of the third part.

Dated 19th July, 1889. Recorded 22d July, 1889,  
Liber 321, p. 185.

Conveys :

The premises, with one hundred and one exceptions, being deeds heretofore returned upon this and a previous search made upon this property dated July 1, 1889.

Nothing else found.

Witness my hand and seal of the County of Suffolk, at Riverhead, N. Y., this 14th day of August, 1889.

ORANGE T. FANNING,  
Clerk.

The Clerk of the County of Suffolk will please search in his office for judgments against the following named persons for the periods specified :

*Against*

Robert R. Fox,	} From December 1st, } 1863, to September 30th, } 1872.

Joseph S. Fay.	}	For 12 years last past.
James R. Jessup,		
Eliza D. Fox,		
Faye Fox,		
Bessie Fox,		
Henry H. Parker,		
James H. Lyles,		
Individually, or as	}	
trustee or as attorney,		

And certify result in writing for Wm. M. Hoes, 69 Wall Street, New York, attorney. Nothing found.

Witness my hand and the seal of Suffolk County, at Riverhead, N. Y., this 1st day of July, 1889.

[L. S.]

ORANGE T. FANNING,  
Clerk.

Continued the foregoing search to date and find nothing.

Witness my hand and the seal of the County of Suffolk, at Riverhead, N. Y., this 18th day of July, 1889.

[L. S.]

ORANGE T. FANNING,  
Clerk.

The Clerk of the County of Suffolk will please search in his office for all notices of *lis pendens*, certificates of Sheriff's and Marshal's sales, notices of foreclosure by advertisement, insolvent assignments, general assignments, appointments of receivers, bonds of collectors and their sureties (from April, 1838), appointments of trustees of absconding, concealed, non-resident or imprisoned debtors and exemptions under homestead act, against the following persons and for the periods set against their names respectively (continuing for certificates of Sheriff's

and Marshal's sales to a date eleven years later than the periods named, or to the date of return), as the case may be :

John Still Winthrop,	}	From January 1st, 1818, to December 30th, 1826.
Francis Bayard Winthrop,		
William Henry Winthrop,		
Thomas Charles Winthrop,		
William H. Winthrop,	}	From December 1st, 1826, to December 30th, 1863.
Thomas P. Winthrop,		
Francis B. Winthrop,	}	From August 1st, 1860, to December 30th, 1863.
Jane P. Chester,		
Mary T. Pratt,		
Dean Pratt,		
Margaret Ann Winthrop,		
George F. Chester,	}	From August 1st, 1860, to December 30th, 1863.
Robert R. Fox,		
	}	From November 1st, 1863, to December 30th, 1875.
Eliza D. Fox,		
	}	From September 1st, 1871, to October 30th, 1886.
James R. Jessup,		
Joseph S. Fay,	}	From September 1st, 1871, to December 30th, 1875.
Henry H. Parker,		
Faye Fox,	}	From March 1, 1876, to June 30, 1876.
Bessie Fox,		
James H. Lyles,		
Individually, or as trustee or as attorney.		
	}	From September 1, 1871, to date of return.

And certify result in writing for Wm. M. Hoes, Attorney, 69 Wall Street, New York. Nothing found.

Witness my hand and the seal of Suffolk  
[L. s.] County at Riverhead, N. Y., this 1st day  
of July, 1889.

ORANGE T. FANNING,  
Clerk.

Continued the foregoing search to date against Fay Fox, Bessie Fox and James H. Lyles, individually and as attorney and trustee, and find nothing.

Witness my hand and the seal of said County  
[L. s.] at Riverhead, N. Y., this 18th day of  
July, 1889.

ORANGE T. FANNING,  
Clerk.

The County Treasurer of Suffolk County, New York, will please search for all unpaid taxes and assessments and sales for the same and other liens in his office in any manner affecting the premises hereinafter described, or any part thereof.

And certify the result hereon for William M. Hoes, attorney and counsellor, 69 Wall Street, N. Y.

Premises.—All that certain island situate, lying and being in the County of Suffolk and State of New York, called Fisher's Island, and the several small islands contiguous thereto called the "Homocks," "Flat Hammock," "West Clump," "Middle Clump," "East Clump," and "Wicopesset," together with the buildings thereon, being the same premises conveyed by George F. Chester, Jane P. Chester and Mary T. Pratt to Robert R. Fox, by deed dated December 2, 1863, recorded December 7, 1863, in the Clerk's office of Suffolk County, N. Y., in Liber 124 of Conveyances, p. 162.

*Against*

Fay Fox, Bessie Fox, James H.  
Lyles, individually or as attorney  
or trustee.

I hereby certify that there is no record in my

office of any tax sales, or any unpaid taxes, affecting the premises above described or any part thereof.  
Riverhead, July 3d, 1889.

[L.S.] J. HENRY PERKINS,  
Co. Treas.

I have continued the foregoing search to date and find nothing.

Witness my hand and the seal of the Treasurer of Suffolk County, at Riverhead, N. Y., this 18th day of July, 1889, 5 P.M.  
J. HENRY PERKINS,  
Co. Treas.

*To the Title Guarantee and Trust Company.*

Search in the office of the Clerk of the District Court of the United States, for the Eastern District of New York, for judgments, decrees, and all other liens upon real estate, against the following named persons, for the periods set opposite their names, respectively

Joseph S. Fay,	}	For 12 years last past.
Eliza D. Fox,		
Faye Fox,		
Bessie Fox,		
Henry H. Parker,		
James H. Lyles,		

Also, for petitions and decrees in bankruptcy, since June 1st, 1867, against the following named persons, for the periods set opposite their names respectively.

Joseph S. Fay,  
Eliza D. Fox,  
Faye Fox,  
Bessie Fox,  
Henry H. Parker,  
James H. Lyles.

And certify the result in writing for Wm. M.

Hoes, address, 69 Wall Street, N. Y. City. Wanted July 17, 1889, at M.

Dated July 16, 1889.

No. 6298.

See Petn. *vs.* Henry Parker, Aug. 10, 1868.

Nothing else found, July 17, 1889, 9 A. M. The foregoing search made for and guaranteed to Wm. M. Hoes by the Title Guarantee and Trust Company.

Attest :

[L.S.] FRANK BAILEY.

Fee, \$1.65.

*To the Title Guarantee and Trust Company.*

Search in the office of the Clerk of the Circuit Court of the United States, for the Eastern District of New York, for judgments and decrees, and all other liens upon real estate, filed or docketed therein, against the persons named below, for the periods set opposite their names, respectively, and certify the result in writing for Wm. M. Hoes, address, 69 Wall St., N. Y. City. Wanted July 17th, 1889, at M.

Dated July 16th, 1889.

No. 6299.

Joseph S. Fay,

Eliza D. Fox,

Fay Fox,

Bessie Fox,

Henry H. Parker,

James H. Lyles.

} For 12 years last past.

Nothing found, July 17th, 1889, 9 A. M. The foregoing search made for and guaranteed to Wm. M. Hoes by the TITLE GUARANTEE & TRUST COMPANY.

Attest :

[L.S.] FRANK BAILEY.

Fee, \$1.00.

## IN THE MATTER

*of*

The sale and conveyance of certain  
 real estate on Fisher's Island,  
 Suffolk County, New York, by  
 Fay Fox and Bessie Fox, by  
 attorney and individually, to  
 Edmund M. Ferguson.

STATE OF NEW YORK, }  
 County of Suffolk, } ss.:

FAY FOX and BESSIE FOX being duly severally sworn, each deposes and says: That she resides upon said premises upon Fisher's Island; that she is of full age, unmarried, citizen of the United States of America, and has good right to convey said premises.

That there is no judgment existing against her unpaid or unsatisfied of record, docketed in any of the counties in this State, or in the office of the clerks of the United States Courts for the Eastern District of New York, and that no proceedings in bankruptcy have ever been instituted against her in any court or before any officers in any State or of the United States.

FAY FOX,  
 BESSIE FOX.

Severally sworn to before me this {  
 19th day of July, 1889. }

ABRAM GIFFORD,

Justice of the Peace,  
 for Fisher's Island.

N. Y.











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